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A STUDY IN SCOTTISH HISTORY FROM THE REFORMATION TO THE REVOLUTION

PUBLISHED BY

JAMES MACLEHOSE AND SONS, GLASGOW,

Publishers to the University.

MACMILLAN AND CO., LTD., LONDON.

New York, - - *The Macmillan Co.*
London, - - - *Simpkin, Hamilton and Co.*
Cambridge, - - *Macmillan and Bowes.*
Edinburgh, - - *Douglas and Foulis.*

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BY

WILLIAM LAW MATHIESON

VOL. II.

GLASGOW

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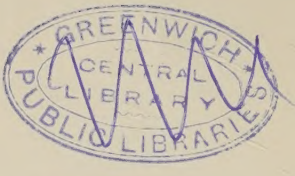

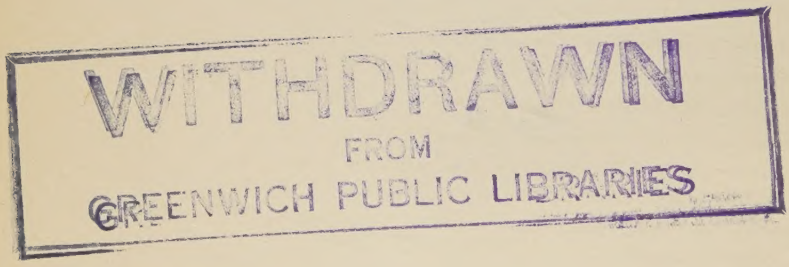

GLASGOW: PRINTED AT THE UNIVERSITY PRESS
BY ROBERT MACLEHOSE AND CO.

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CHAPTER XIII.

THE COVENANT IN ARMS, 1639-1641.

The Glasgow Assembly, in refusing to disperse and in deposing the bishops, had made war inevitable; and for war the Covenanters were much better prepared than the King. Charles had been arming in a desultory fashion ever since Hamilton went down to Scotland in May, 1638; but his reluctance to summon Parliament put him to great straits for money, and the *bellum episcopale* was repugnant to a large proportion of his subjects, and a matter of extreme indifference to most. In Scotland, on the other hand, stimulated by many vehement preachers, the greatest enthusiasm prevailed. In the beginning of February, 1639, a committee for providing men, money, and arms was instituted in each shire; drilling went on briskly under skilled officers who had served with Gustavus Adolphus in the Thirty Years' War; and though a fourth of the male population was nominally called out, more men came forward than the committees were able to equip. Money, too, was freely given—200,000*l.* being advanced by William Dick, a wealthy burgess of Edinburgh, on very bad

security, as it proved ;[1] and Hamilton's "small party," the nucleus of that which was to have held the Covenanters in check, dwindled to some scattered individuals, who, where they had not fled across the Border, were quietly disarmed.

There was one district, however, which had been loyal before the King's Commissioner arrived, and continued to be so after he had gone. We have seen how Montrose had failed in his mission to Aberdeen in July, 1638 ; and the Government at Edinburgh, not choosing to face England with a centre of disaffection in their rear, sent him thither again in the following March. This time he came as a military chief, and with so large a force that the townspeople, though they had thrown up fortifications and received a large consignment of arms, deemed it hopeless to resist. Bishop Bellenden fled; Dr. Forbes retired to his estate of Corse ; and sixty of the bravest citizens, fully armed, with several ministers and lairds, slipped away by sea to join the King. Montrose, at the head of 9,000 men, entered Aberdeen on March 30 ; and a fortnight later the Marquis of Huntly, the King's Lieutenant in the north, having come in under a safe conduct, was detained and carried a prisoner to Edinburgh. The citizens had to pay a fine of 10,000 merks, to find quarters for Montrose's soldiers, and not only to take the Covenant, but to swear that they did so "freely and willingly." On May 13 a detachment of Covenanters was surprised and routed at Turiff ; and the Royalists,

[1] Dick's bills are said to have been "accepted through all Christendom, yea, even in the dominions of the Turks." Having advanced large sums both to the Covenanters and to the English Parliament, he died at London in a debtor's prison in 1655.—Chambers's *Domestic Annals*, ii. 236-237.

followed by the Bishop, returned in triumph to Aberdeen, where they remained till they were driven out by Montrose, or rather by the news of his approach, ten days later. Montrose, however, after levying another 10,000 merks, beat a hasty retreat on June 5, owing to an erroneous report that Viscount Aboyne, Huntly's second son, had arrived with a considerable army and fleet. Aboyne had, indeed, arrived, but only with three ships—one of them a Newcastle collier—containing the refugee citizens and lairds, some trained officers, and a supply of arms. But this reinforcement, small as it was, sufficed to maintain the Royalist supremacy in Aberdeen, until Montrose brought it finally to an end by forcing the passage of the Dee on June 19.[1]

By this time the King and the Covenanters had adjusted their differences on the Border; and the news of the pacification of Berwick arrived just in time to save the thrice-conquered city from something worse than a further contribution of 5,000 merks. According to the original plan of campaign, Charles was to have marched north with 30,000 men, and Hamilton, after joining Huntly by sea with 5,000, was to have marched south; the fleet was to have blockaded and harried the east coast; and descents were to have been made on the west coast by the Earl of Antrim and the Lord Deputy of Ireland, Strafford.[2] Montrose in April had wrecked this scheme by occupying Aberdeen and kidnapping Huntly; and when Hamilton, in obedience to fresh orders, took his 5,000 men to the Forth, he found the state of things there no better than at Aberdeen. The Covenanters had possessed themselves of Edinburgh

[1] Spalding, i. 153-212; Gordon, bk. iv.

[2] Burnet, p. 143.

Castle and Dalkeith, as well as of Dumbarton on the Clyde; they had planted batteries along the Fife coast; and they had worked so hard at the fortification of Leith—men, women and children, nobles and peasants—that it was now defended towards the sea by several great bastions bristling with a double row of cannon.

Hamilton cast anchor in Leith Roads on May 1; and next day, with a view to refreshing and training his raw levies, he landed them on the small islands of Inchkeith and Inchcolme. Here for five weeks he negotiated with the rebels and attempted merely to cut off their trade, which, unfortunately for so suspected a person, was all that he had authority to do.[1] Towards the end of the month, 3,000 of his men, at his own suggestion, were ordered to Berwick; and these were the troops which Aboyne, having arrived in the Forth an hour or two after they left, was supposed to have brought with him to Aberdeen.

In the west, as in the east, the King's schemes broke down. Antrim proved to have neither means nor ability for the descent on Cantire; Strafford could not spare troops for his expedition to the Clyde, and Dumbarton, which was to have received him, had been captured by the Scots. Charles himself, at the head of a great array of nobles, made his way leisurely to Berwick, which he entered on May 28. Clarendon says that "he more intended the pomp of his preparations than the strength of them"; but this display was not

[1] Clarendon refers to his "neighbourly residence with his fleet and foot soldiers before Leith," and to the visits paid him by his mother, who had ridden in to oppose his landing at the head of a troop of horse. Guthrie asserts that he had a secret interview at midnight with Loudoun on Barnbogle Links; but by Hamilton's own account, this story arose from the fact that in pursuing a merchant vessel he ran aground at that spot and was very nearly taken prisoner.—Guthrie, p. 48; Burnet, p. 331.

likely to impose on the Scots, whose countrymen at Court kept them fully informed both as to the temper of the nation and the designs of the King.[1] The English nobles had no stomach for the war, and had demurred, in its original form, to an oath of fidelity, which, even when amended, Lords Saye and Brooke had ventured to refuse. In his camp on the Tweed, three miles above Berwick, Charles had 21,000 men, ready enough to fight, but wholly undisciplined, and so unused to their muskets that they shot holes in the officers' tents.[2] The Scots at Dunglass, on the coast between Berwick and Dunbar, numbered 20,000—"stout young ploughmen" for the most part, well-fed and well-paid, whose enthusiasm for the Covenant had been turned to good purpose by several months' drill. Alexander Leslie, one of Gustavus's marshals, was in supreme command; the colonels were mostly nobles, the captains lairds, and nearly all the lieutenants are said to have seen service abroad.[3]

Hamilton had tried in vain to publish a proclamation issued in April from York, in which the rebels were denounced as traitors unless they laid down their arms within eight days, and their tenants, who should desert

[1] Baillie, referring to the middle of May, says that their intelligence had quite failed them, and that they "knew not then the estate of the English affairs."—i. 200. But Baillie, as he himself confesses, was not admitted to the secrets of the party; and Hamilton on May 14 writes to Charles, "Sure I am of this, that the Covenanters here knoweth as much both of the strength of your Ma^tes troops and of their readiness as any of your own army doeth."—*Hamilton Papers*, p. 81. Clarendon bitterly denounces the treachery of the Scottish courtiers.

[2] Gardiner, ix. 24.

[3] Baillie, i. 211-212. Johnston in his *Diary*, published by the Scottish History Society, emphasises the difficulties experienced by the Covenanters in collecting and provisioning their army with a view to debasing the human element in the enterprise and magnifying the miraculous or divine.

them, were offered a reduction of rent. Another proclamation had been signed at Newcastle, and communicated to the Scots on May 22, in which they were informed that there would be no invasion if they yielded "all civil and temporal obedience," and did not come within ten miles of the Border. Charles, however, on June 1, wishing to try the effect of the first proclamation, sent the Earls of Arundel and Holland, with a troop of horse, to read it in Duns; and next day, by way of retaliation, Leslie invaded the ten-mile limit by occupying Kelso in considerable force. On June 3, under a blazing sun, Holland crossed the Tweed with 3,000 foot and 300 horse to drive back the Scots. The Scots, aware of his intention, advanced to meet him, and Holland, finding himself out-numbered and out-manœuvred, was forced to retreat. This rebuff produced a very bad impression in the English camp, where small-pox had broken out, and provisions, as well as money, were rapidly running short.

Happily for Charles, the Scots had no wish to rouse England by defeating its King; and at the suggestion of one of his Scottish pages, who had come over informally to their camp, now established on Duns Law, they sent the Earl of Dunfermline to propose that commissioners on both sides should be appointed to treat. Charles sent word with Sir Edmund Verney that the York proclamation must first be published; but, when Verney told him that it had been read at the General's table, though only with the result that its publication was refused, he declared himself content. On the 11th six commissioners from both armies met in Arundel's pavilion, and to the surprise of the Scots, were joined almost immediately by Charles himself. After discussions

extending over a week, in which the divine right of Assemblies was freely asserted against the divine right of Kings, a form of declaration was agreed to by Charles, and certain articles by the commissioners, both of which were signed on June 18. In his declaration Charles promised to recall his forces by sea and land, and, whilst refusing to recognise the late Assembly at Glasgow, consented that matters ecclesiastical should be determined by Assemblies, and matters civil by Parliament, for which purpose he appointed an Assembly to be held at Edinburgh on August 6, and a Parliament on August 20. The Scots, on their part, agreed to disband their army, to hold no meetings unwarranted by Parliament, and to restore the royal castles.[1]

This was rather an evasion than a settlement of the dispute. On the 22nd, as soon as the King's declaration had been read at Duns to what remained of the Scottish army, the Earl of Cassillis, having protested in the name of the nobility, gentry, and commons that they adhered to the late Assembly, presented a paper to that effect, which the Herald refused; and the same formality was observed at Edinburgh, when the declaration was read there four days later.[2] A more formal protest was made against the proclamation of the Assembly on July 1, which required bishops as well as commissioners of kirks to attend; and this was followed on the 3rd by a great commotion in the streets, in the course of which Aboyne was hotly pursued in his carriage, and

[1] Burnet, pp. 178-179; Peterkin's *Records*, pp. 226-229; Johnston's *Diary*, pp. 63-92; Baillie, i. 215-218; Gardiner, ix. 1-41.

[2] Balfour's *Annals*, ii. 332-333. Sir James Balfour, as Lyon Herald, read the declaration both at Duns and Edinburgh. The protest—"Information against all mistaking of his Majesty's declaration"—is given in Johnston's *Diary*, p. 89.

Traquair violently assaulted in his. About the middle of the month Charles summoned fourteen of the leading Covenanters to confer with him at Berwick, and, with a view to gaining their confidence, authorised Hamilton in writing to make what professions he pleased. Only six of the fourteen ventured to obey the summons; and of these Montrose alone was won over, in some measure, to the views of the King. On the 19th Charles sent a document to Edinburgh, in which, in addition to fifteen other grievances, he complained that one regiment of the army was still under arms, that the fortifications were not demolished, and that the Tables continued to sit. He complained also of the circulation of a paper entitled "Some Heads of His Majesty's Treaty with his subjects in Scotland," and purporting to be a memorandum of the conference at Berwick; and this paper, soon after his return to London on August 3, he caused to be burned by the hangman.[1]

The Treaty of Berwick, though extorted from Charles by the weakness of his army and the want of funds to keep it on foot, agreed only too well with his natural inclination to thrust aside his difficulties, rather than to look them squarely in the face. He had disposed of "the pretended Assembly at Glasgow" by promising to hold another in his own name; but nobody knew, probably not even himself, how far he meant to approve what the Assembly had done. According to the memorandum of the Berwick conference, without which, he was told, his declaration would never have been received,[2]

[1] Gordon and Burnet say that the ministers inflamed the populace against the King by asserting that he had burned the articles of the pacification; and this assertion is actually made by Row in his *Life of Blair*, p. 160.

[2] Balfour, ii. 340.

the Scottish Commissioners had urged Charles to agree to the abolition of Episcopacy, and after much pressure he had conceded that "he would not prelimit and forestall his voice," having appointed a free Assembly, the constitutions whereof he would ratify in Parliament.[1] At this decision, though he denied that he had used such words at Berwick, he had now almost arrived; for Traquair had assured him that, bishops being one of the three estates, Parliament could do nothing without, much less against them, which he would not be able to undo.[2] Traquair was to represent the King at the Assembly in place of Hamilton, who had been permitted to resign; and Traquair's instructions show that Charles had not forgotten his hint. He was to declare that the King, contrary to his own inclination and for the sake of contenting his people, would allow the Assembly to deal with the bishops. He might consent to the abolition of Episcopacy, provided it was not abjured "as a point of popery or contrary to God's law or the Protestant religion," or even as unlawful, though on this last point he was to be careful that the King's "intentions appear not to any"; and if nothing else would serve, he might agree to its abjuration "as contrary to the constitution of the Kirk of Scotland." He was also to see that the bishops did not appear as consenting parties to the abolition of their order; and a few days later, after assuring them that "it shall be still one of our chiefest studies how to rectify and establish the government of that church aright and to repair your losses," Charles directed the bishops to draw up a protestation against both Assembly and Parliament, and to present it privately to the Commissioner as he entered the church.[3] Charles was

[1] Peterkin, p. 230. [2] Burnet, p. 188.
[3] *Ibid.* pp. 189-195.

naturally anxious not to renounce Episcopacy on grounds which would imply its condemnation in England; but he himself was the first to suffer through this attempt to retain in substance what he professed wholly to concede.

The Assembly sat at Edinburgh from the 12th to the 30th of August; and its proceedings may be summed up in Gordon's words: "The epitome of Glasgow Assembly was acted over at a gallop."[1] The Canons, the Liturgy, the Perth Articles, the six prelatical Assemblies, and the High Commission were all repudiated and condemned, and Episcopal government and the civil power of churchmen were declared to be still unlawful within this Church. Traquair claimed that this Act was in harmony with his instructions, which empowered him to consent to the abolition of Episcopacy as "contrary to the constitution of the Church of Scotland"; but Charles intimated his entire disapproval of the Act on the ground that what was unconstitutional was not necessarily unlawful. He also found fault with his Commissioner for having assented to a petition which required the Covenant as interpreted by the Glasgow Assembly to be enforced by Act of Council, though he had been specially directed not to ratify it in that sense; and he was not at all satisfied with Traquair's protest, which the Assembly refused to endorse, that the rejection of Episcopacy and the other grievances should imply no censure on such things outside the realm.[2]

Charles was incapable of recasting his aims according

[1] *Scots Affairs*, iii. 63.

[2] Burnet, pp. 198-200; Peterkin, pp. 204-209; Aiton's *Henderson*, p. 417. Napier ought to have known better than to endorse the statement of Guthrie and Sir Thomas Hope that the Assembly condemned Episcopacy as "unlawful and contrary to God's word."—*Memoirs of Montrose*, i. 225.

to the varying extent of his power; and it was a fatal result of his inability to keep in touch with facts that he seldom or never made a concession till it was too late to expect anything in return. We have seen how he had destroyed the Episcopal party in Scotland by refusing to withdraw the Liturgy; and he now checked the rise of a royalist or conservative party by his reluctance to give up the bishops. When Parliament met on August 31, having been prorogued from the 20th to that day, it proceeded at once to deal with the constitutional question which had arisen through the action of the Assembly in repudiating one of the three estates. Traquair had orders to do his best that the King should have the right of summoning ministers to Parliament in place of bishops; but this proposal, suggestive of James VI.'s Commissioners for the Church—the Trojan horse through which Episcopacy had originally been introduced—was so obnoxious to all parties that it seems hardly to have been mooted at all. Another scheme, by which the bishops would have been replaced by fourteen laymen nominated by the Crown, was warmly seconded by a section of the Covenanters headed by Montrose; but it was distasteful to the commons and to such of the nobility as courted their suffrages at the expense of the King. Balcanquhal, the author of the *Large Declaration*, was informed by one of his correspondents in Scotland that the bishops had been removed chiefly on account of the power they had in Parliament—eight of them being Lords of the Articles, and these choosing eight nobles, who with them chose sixteen to represent the burgesses and barons.[1] The effect

[1] Hailes's *Memorials*, p. 47.

of this system was to make the King supreme in the persons of the bishops, and those who had proceeded on this ground against the bishops must have objected equally to Montrose's royal nominees.

On the present occasion the Scottish Parliament showed a disposition to demand that freedom of debate which it wrested from the Crown half a century later, only a few years before it ceased to exist. Some of the nobles spoke with great contempt of the committee of the Articles as a mere development of usage unknown to the statute law; and the burgesses complained that it had engrossed the whole process of legislation, and urged that it should be confined to its original function of drafting bills, which had originated in Parliament and were to be discussed there.[1] At length it was agreed that the Commissioner should choose the Lords of the Articles for the nobility, as the bishops had formerly done, and that these should choose eight barons and eight burgesses, but only under protest that this should not bar the right of each estate in future to choose its own Lords of the Articles, and that an Act should be made to that effect. The committee thus chosen proceeded to draw up some very drastic measures, such as that no patent of honour should be granted to any person who had not property in Scotland to the value of 10,000 merks, that the castles of Edinburgh, Stirling, and Dumbarton should be entrusted only to Scotsmen approved by Parliament, and that without consent of Parliament the value of the coin and customs should not be raised. But the most remarkable thing they did was to sanction by a majority of one the stipulated law that each estate should choose its own

[1] Gordon, iii. 65-66.

Lords of the Articles; for this withdrew Parliament altogether from the control of the Crown, and left the nobles with only eight votes on the committee to the barons' and burgesses' sixteen.[1] In order to stave off the final session in which these measures would become law, Traquair adjourned Parliament no less than nine times from October 4 to November 14, when by order of the King he prorogued it to June 2, 1640.[2] The Estates appointed a committee to sit during the prorogation, and before rising they recorded a vigorous protest that Parliament could not legally be prorogued by the Commissioner without its own consent, and that it should not be imputed to them if through the ascendency of their enemies at Court they were "constrained to take such measures as may best secure the church and kingdom."[3]

The Covenanters had pledged themselves at Berwick to yield all civil and temporal obedience and not "to crave any point which is not warranted";[4] and, if Charles had exceeded his powers in the prorogation, they had far exceeded theirs in Parliament, as was admitted even by such fanatical lawyers as Sir James Balfour and Sir Thomas Hope. Montrose and Lord Lindsay had exerted themselves "body and soul" against the proposal to abolish the first estate without compensation to the Crown;[5] and the former would probably have now seceded from the popular side but for the alarm excited

[1] "No Reform Bill in our own days has ever brought about anything approaching to the political change which was the result of this decision." —Gardiner, ix. 53.

[2] Balfour, ii. 361-362.

[3] *Act. Parl.* v. 257.

[4] Paper signed by Loudoun; King's *Declaration*, 1640, p. 5.

[5] Rossingham's *News Letter*, quoted by Mr. Gardiner, ix. 51, note; Guthrie, p. 55.

amongst all true Presbyterians by the Commissioner's refusal to ratify without qualification the Act of Assembly against the bishops, and to repeal all Acts of Parliament contrary thereto. His "future intentions" made it impossible for Charles to give way on this last point, though Traquair warned him that his refusal would "cast all loose";[1] for an Act Recissory, as it was called, was demanded on the very ground on which he hoped one day to annul his present concessions, namely, that no Parliament could be valid without bishops, until the Acts which required their concurrence had been repealed.[2] The Covenanters were at no loss to interpret his motives; and thus the mock surrender of Episcopacy deceived nobody but the King, who had hoped by this means to impose on others.

Charles called up his Commissioner to Court after the prorogation; and the account he received was so alarming that he resolved at once to summon Parliament and prepare for war. He was particularly incensed against the Covenanters because Traquair had obtained possession of a letter to Louis XIII., which they had drawn up in the previous year;[3] and Lord Loudoun, one of seven who had signed the letter, was committed to the Tower in April, 1640, a few weeks after his arrival in London as one of a deputation from the Scottish Estates. Loudoun urged in his defence that the letter was never sent, that

[1] Burnet, p. 200. [2] Gordon, iii. 122.

[3] Burnet says that this letter was suggested and penned by Montrose, and that, Lord Maitland having found some bad French in it, it was put aside, and owing to the Treaty of Berwick, "never again taken up."—*Own Time*, i. 53-54; *Dukes of Hamilton*, p. 204. In this, however, he is so far mistaken, inasmuch as a letter, dated February 19, was actually sent to Louis in the following year. Mr. Gardiner points out that the documents printed by Mazure as a commentary on the first letter really refer to the second.—*Histoire de la Révolution de* 1688 *en Angleterre*, vol. iii. appendix.

it was merely a request for mediation, and that it was covered by the amnesty granted at Berwick. He also pleaded his immunity in England as an envoy and a Scottish subject; and after an imprisonment of more than two months, during which Hamilton's intercession is said to have been necessary to save his life, he was allowed to return on a somewhat vague obligation to promote an accord between the King and the Scots.

Loudoun did not reach Edinburgh till July 3, and by that time enough had happened to make his mission as fruitless as perhaps he desired it to be. Early in the year a novel species of war tax was introduced in the shape of a Bond for the Relief of the Common Burthens, which obliged subscribers to pay ten merks in every hundred of income; in April a Convention of Estates was held in answer to the Parliament which Charles had just summoned in England; next month the English privateers were let loose on the Scottish shipping; and soon afterwards, for the first time since Maitland's heroic defence, an attempt was made to bombard Edinburgh Castle, the guns of which were doing considerable injury both to the citizens and to the town.

When such arguments were being used on both sides, the Covenanters had no inducement to keep within the letter of the law. On May 28, five days before the date fixed for the re-assembling of Parliament, Sir John Hamilton, the Justice-Clerk, received orders for a new prorogation, in which he was to concur with Sir Thomas Hope. Hope applied to Lords Elphinstone and Napier, who, with himself and the Justice-Clerk, had received a commission empowering any three of them, in Traquair's absence, to carry out his commands. Elphinstone and Napier, however, declined to act, on the technical ground that, though there was a warrant from the King, there

was none, in terms of their commission, from Traquair.[1] The Estates were thus able to ignore the intended prorogation, though it required some audacity to say that, "after diligent inquiry," they could hear of nothing to prevent their meeting;[2] but even if Hope had succeeded in fulfilling his mission, they would hardly have allowed such an obstacle to stand in their way. From disclosures afterwards made, it appeared that there had been some discussion as to the lawfulness of deposing the King; and when Montrose argued that, so long as they had a king, they could not sit without him, he was told "that to do the less was more lawful than to do the greater."[3]

The Parliament sat from the 2nd to the 11th of June under the presidency of Lord Balfour of Burleigh, whom in the absence of the Commissioner they had elected to the Chair. Sixty statutes were passed, prominent amongst which were an Act excluding churchmen from Parliament and declaring Nobles, Barons, and Burgesses to be the three estates, an Act Recissory annulling all laws in favour of the bishops and ratifying the government of the Church by Assemblies, Synods, Presbyteries, and Sessions, and an "Act anent the choosing of committees out of every estate." This Act provided that future Parliaments might either choose or not choose Lords of the Articles, according to the importance of affairs; that, if such were appointed, each estate should choose its own; that all propositions or Articles should be presented to the Estates themselves, which for this purpose should sit constantly from the beginning of Parliament to the end; and that the Estates, after discussion of the

[1] Burnet, pp. 211-212. [2] *Ibid.* p. 213.

[3] Napier's *Memoirs of Montrose*, i. 236, 260.

Articles returned to them by the committee with reasons for and against, should select such as they pleased "to be voted in plain Parliament." Thus Parliament asserted its own authority over the Lords of the Articles, whilst at the same time it freed them from the control of the Crown. Other Acts required the Covenant to be subscribed according to the interpretation of the Assembly, enforced a new bond in defence of the present Parliament and its laws, and established a revolutionary government in the shape of a Committee of Estates.[1] Sir James Balfour sums up his account of this legislation by describing it as "the real greatest change at one blow that ever happened to this Church and State these 600 years bypast; for in effect it overturned not only the ancient State government, but fettered monarchy with chains, and set new limits and marks to the same, beyond which it was not legally to proceed."[2]

The Parliament of 1639-40 had thus done as much to provoke hostilities as the Assembly of 1638; and if Charles had not been equal to the former war, he was much worse prepared for this. He had sacrificed the prospect of supply to the necessity of dissolving the English Parliament before it avowed its sympathy with the Scots; and both at home and abroad his efforts to raise loans had entirely failed. Want of pay rendered it impossible to restrain the forced levies which began to stream northwards early in June; whole companies mutinied or went home; farms were looted, prisons broken open, altar-rails pulled down; and the officers, many of whom were Catholics, were assaulted and even murdered by their men. Such, indeed, was the

[1] *Act. Parl.* v. 258-300. [2] *Annals*, ii. 379.

condition of the army that but for lack of funds Danish mercenaries would have been called in to restore order; and Conway, the royal commander in the north, declared that he feared unpaid soldiers more than "the Scots and the devil to boot." The Covenanters were now relieved from that dread of national resistance which had deterred them from invading England in the previous year; and on July 19 news reached Court that they meant to seize Newcastle and put pressure on London by cutting off its supply of coal. In the execution of this scheme they looked to the English Puritans for something more than negative support, and Johnston of Warriston had already been in communication with Lord Savile with a view to obtaining an assurance from some leading nobles that they would join the invaders, or at all events send them money. Savile and six other Puritan lords—Bedford, Essex, Brooke, Warwick, Saye, and Mandeville—wrote a joint letter in which they declined to assist their friends, except, as heretofore, in a legal way; and this letter being no more satisfactory to Savile than to the Scots, he followed it up with another, as full and explicit as the Scots could desire, to which he appended his own name and forged the signatures of the six peers.[1]

By way of preface to their intended invasion, the Committee of Estates issued two manifestoes, in one of which, highly Scriptural both in substance and tone, they declared that "as a man that fighteth himself out of prison" they must anticipate the King's intention to blockade them by sea and land, and that they sought only to bring to trial before

[1] Gardiner, ix. 172-179.

the English Parliament "those who are the troublers of Israel, the firebrands of Hell, the Korhas, the Baalams, the Doegs, the Rabshakahs, the Hamans, the Tobiahs, and Sanballats of our time."[1] Savile's letter found the Scots encamped in Choicelee Wood, about four miles from Duns; but their preparations were not sufficiently complete to allow of an immediate advance. The Bond for Relief of the Common Burthens, owing to the tedious valuations it involved, had as yet produced but little; and as the invasion for political reasons was intended to be self-supporting, it might have hung fire much longer, in spite of a proclamation requiring all silver-work to be brought to the mint, had not the citizens of Edinburgh been prevailed upon by their preachers to provide a large sum of money, and the women a great quantity of coarse linen for tents.[2] On August 20, at four in the afternoon, the Scottish army, 25,000 strong, began to cross the Tweed, Montrose on foot at the head of his brigade leading the way. On the 28th they routed a detachment of the enemy which attempted to hold the fords of the Tyne at Newburn; and two days later they occupied Newcastle. The English had retired to Durham, leaving behind them, says Clarendon, "the honour and the coal of the kingdom"; and on September 3 Durham also was occupied by the Scots.[3]

[1] Peterkin, pp. 297-299. [2] Baillie, i. 255.

[3] Of the conduct of the troops on this expedition we have the following accounts: "It was very refreshful to remark," says Livingstone, "that after we came to ane quarter at night, there was nothing almost to be heard throughout the whole army but singing of psalms, prayer, and reading of Scripture by the soldiers in their several huts, and as I am informed, there was large more of that sort the year before when the army lay at Dunce Law."—*Select Biographies*, i. 163. Lord Lothian in February,

Events now rapidly shaped themselves towards the consummation which the Covenanters and their friends in England had long had in view. On September 1 twelve peers, including the six whose signatures Savile had forged, petitioned the King to summon Parliament; and next day the Scots, through Hamilton's brother, the Earl of Lanark, Secretary of State for Scotland, made a similar request with a view to the establishment of "a firm and durable peace." Lanark referred the Scots for their answer to a Great Council of Peers which was to meet on the 24th at York, directing them at the same time to draw up a list of their demands; and to this they replied by a petition that the late Acts of Parliament should be published in the King's name, that the Castle of Edinburgh and other strongholds should be given up, that their countrymen in England and Ireland should be free to subscribe the Covenant, that "the Common Incendiaries" should be punished, that they should be indemnified for their expenses and losses, and that peace should be concluded with the advice and consent of the English Parliament. This last demand was soon reinforced by a petition from London on behalf of ten thousand citizens; Charles, having now two armies to support and not enough money for one, was compelled to give way; and when the Great Council assembled on the 24th, he announced that Parliament would meet on November 3. The Peers appointed sixteen of their

1641, writes thus to his father, the Earl of Ancram: "I cannot out of our army furnish you with a sober fiddler. There is a fellow here plays exceeding well, but he is intolerably given to drink, nor have we many of these people. Our army has few or none that carry not arms. We are sadder and graver than ordinary soldiers, only we are well provided of pipers."—*Correspondence of the Earls of Ancram and Lothian*, i. 108.

number to treat with the Scots, and on October 2 a conference was opened at Ripon. There, on the 22nd, after the negotiations had been suspended for a week, owing to the refusal of the Scottish Commissioners to come to Charles's headquarters at York, it was agreed, in view of the meeting of Parliament, that the treaty should be adjourned to London, and that the Scots meanwhile should occupy Northumberland and Durham, and receive 850*l.* a day for two months.[1]

The rebel Government had thus made its power felt in England, and its authority was now undisputed at home. In the summer of this year the Earl of Argyll, from Forfar to Braemar, and Monro, one of the German veterans, in Aberdeen, had overawed and plundered the loyal north, enforcing the Covenant and sending recalcitrant lairds to Edinburgh "to be taught by the Committee of Estates to speak their own country language"; Dumbarton Castle surrendered four days after the army crossed the Tweed; and the Castle of Edinburgh, after a long and stubborn defence, was yielded by Lord Ruthven of Ettrick on September 15. Ruthven and his English soldiers had repulsed at least one fierce assault, and been bombarded to little purpose for about three months; but having had no fresh water since June 6, they had suffered terribly from scurvy, and on the day of the surrender, or rather three days later, when they marched out with all the honours of war, only a third of the garrison survived—most of them sick, and Ruthven himself too feeble to walk.[2]

After the Long Parliament had been more than a fortnight in session, the English and Scottish Com-

[1] Peterkin, pp. 300-302; Gardiner, ix. 197-217.

[2] Balfour, ii. 402-403; Spalding, i. 340.

missioners met at Westminster on November 19. Charles was not allowed to be present at the negotiations, and neither side being at all anxious to bring them to an end, they were suffered to drag on for over six months. The Puritans, though somewhat impatient of the burden it entailed, were naturally anxious to retain an army in sympathy with themselves, which Charles, without their aid, was powerless either to pay off or to resist; and the Scots had their own ends to serve in pushing on the proceedings against Strafford and Laud, whom they regarded as the great incendiaries, and in promoting the agitation against Episcopacy in England. Early in the year 1641, the treaty so long in progress was well nigh complete, inasmuch as the King had consented to publish in his own name the late Acts of Parliament, as well as those to be made at the next session, to dispose of the castles with consent of the Estates, to allow Scotsmen in England and Ireland to subscribe the Covenant, to submit his councillors to the censure of Parliament, and to release eighty vessels then detained in English ports. As the largeness of the indemnity claimed by the Covenanters had given rise to some discontent, the Court party were in hopes that it would lead to a rupture between them and their allies; but all fear of such a result was removed on February 3, when the Commons voted the Scots 300,000*l.* as a brotherly assistance—80,000*l.* to be paid before the disbanding of the army, and the rest in two equal instalments, one at Midsummer, 1642, and the other at Midsummer, 1643. A week later, it was agreed that all proclamations and pamphlets prejudicial to either side should be suppressed.

The English Parliament, however, in Baillie's words, had still "a world of great affairs" in hand, for

Strafford's fate was still undecided, not to mention the settlement of the Church. Thus the treaty was adjourned to the middle of March, and then again to the middle of April; and Parliament on May 3, having adopted a 'no-popery' protestation, "in substance our Scottish Covenant," Baillie did not regret the time "lost about Strafford's head," though the treaty made no further progress till that great statesman was in his grave. On the renewal of the negotiations in June Charles promised to fill up the offices of state from persons recommended to him by Parliament, and when Parliament was not sitting, by the Privy Council and Court of Session, or at all events to consult these bodies with regard to the qualifications of his own nominees; and if this did not satisfy the Scottish Commissioners, he remitted the whole matter to be debated at the next session of Parliament. It was also agreed that an Act of Oblivion, with exception of the Scottish prelates, Sir Robert Spottiswoode, son of the late Primate, Sir John Hay, Balcanquhal and Traquair, should be passed by the Parliaments of the three kingdoms; and a courteous but evasive answer was returned to the demand of the Scots, which they had published as a pamphlet early in spring, that a uniformity of religion should be established throughout the realm according to the Presbyterian form.[1]

Soon after the execution of Strafford it became known that Charles meant to inaugurate the pacification by going to confirm it at Edinburgh. The Scottish Commissioners had hardly expected so ready a response,

[1] *The Scots Commissioners, their desires concerning unity in Religion and uniformity of Church-government*, Edinburgh, 1641, previously printed in London; *Articles of the large Treaty concerning the establishing of the Peace, etc.*, 1641. Both pamphlets are summarised by Stevenson, pp. 464-467, and the latter is engrossed in *Act. Parl. Scot.* v. 337-345.

when in one of their petitions they urged that the King and the Prince of Wales should reside occasionally in Scotland; and the news greatly alarmed the English Parliament, which thoroughly distrusted Charles's intentions without altogether confiding in those of the Scots. In the army at Newcastle there was now considerable discontent owing to the unreasonable delay in the furnishing of supplies; the Scottish Commissioners had offended patriots as well as mere Episcopalians by their pretensions to interfere with the English Church; and another of their demands was even more widely resented—the demand that a commission should be appointed to draw up a scheme of free trade. Charles had thus hopes of being able to influence the Scots in his favour—if not to win them to himself, at all events to detach them from their allies; and this expectation was the more reasonable, because Hamilton, in his endeavour to stand well with all parties, had completely won over the leading Commissioner, Rothes. Rothes was as little of a fanatic and as much of a politician as it was possible for a Covenanter to be; he can hardly have approved of the tendency, plain enough in some quarters, to convert a defensive war against bishops into a Presbyterian crusade; and it may well have been, as Clarendon suggests, that "he found that he had raised a spirit that would not be so easily conjured down,"[1] At all events Rothes, in Baillie's words, "was become a great courtier."[2] He was to be a Gentleman of the Bed Chamber, and was to have the Countess of Devonshire in marriage with her fortune of 4,000*l.* a year; and from the letter, in which he announced his preferment to his friends in Scotland, it is evident that he expected, and was prepared to disregard, their

[1] Clarendon, i. 421. [2] Baillie, i. 388.

censure.[1] Charles, however, had another and more powerful motive for his journey in the secret appeal addressed to him by a group of discontented Covenanters, of whom Montrose was the moving spirit; and in the following chapter we shall have to study the causes of that appeal and the important results to which it led.

On August 10 the treaty, having passed both Houses, received the royal assent; and on the same day, after Parliament had exhausted every expedient to detain him, and had even strained its conscience by sitting on Sunday, Charles set out from London. The Scottish Commissioners, irritated by the opposition to the King's journey, had pledged themselves to vindicate his prerogative at the hazard of their lives; but the one of their number, on whom Charles relied most, was never to see Scotland again. Rothes was too ill to leave London on the 10th; and having gone to Richmond for change of air, he died there on the 23rd in his forty-second year.

[1] Rothes, Appendix, pp. 225-226.

CHAPTER XIV.

THE SOLEMN LEAGUE AND COVENANT, 1641-1643.

For some six months before Charles's visit to Scotland in August, 1641, the Covenanters had been kept in great alarm owing to the threatened defection of one of their chiefs. Montrose has been called "the Scottish Falkland";[1] but in order to make good the comparison we should have to overlook a contrast, not only in the character of the two men, but in the circumstances in which they were placed. In Scotland a religious revolution became more and more political; in England a political revolution became more and more religious; and Montrose left the Covenanters when they attacked the Crown, just as Falkland left the Parliamentarians when they attacked the Church.

We have seen how in the Parliament of 1639 Montrose had argued that the King ought to be compensated for the loss of the fourteen episcopal votes, how in June, 1640, he had questioned the right of Parliament to sit without the King's consent, and how he had been told "that to do the less was more

[1] Skelton's *Charles I.*, p. 165. Falkland, though an Englishman, was a Scottish peer. His father, the first Viscount, had voted by proxy for the Perth Articles in the Parliament of 1621.—Calderwood, vii. 497.

lawful than to do the greater." It was thus in no complaisant mood—"wrestling betwixt extremities," to use his own expression—that he joined the army on the Border in the following month; and his indignation was raised to the highest pitch when he was privately solicited to consent to an arrangement by which Argyll was to rule north of the Forth, and two other nobles were to preside over the south. He soon discovered that the promoters of this scheme had originally intended to make Argyll dictator of the whole kingdom; and the knowledge in whose interest it was designed made him doubly opposed to the superseding of the King, for he hardly detested Hamilton more, both personally and politically, than he detested Argyll. In order to counteract this scheme, which he said he would rather die than approve, Montrose in August, before the army crossed the Tweed, prevailed upon eighteen nobles and gentlemen—among them Lord Almond, Leslie's second in command—to sign an obligation, by which they bound themselves to promote the "public ends" of the Covenant in opposition to "the particular and indirect practising of a few." The Cumbernauld Bond, as it was called from Lord Wigtown's mansion of Cumbernauld, where it had been drawn up, remained a secret until Argyll, getting some inkling of it in November from the death-bed confession of one of the subscribers, managed in January, 1641, to extract the whole truth from Lord Almond. Montrose and such of his friends as happened to be in Scotland were then summoned before the Committee of Estates, which condemned the Bond, and after requiring them to sign a declaration of their good intentions, ordered it to be burnt.[1]

Montrose himself had greatly facilitated the discovery

[1] Napier's *Memoirs of Montrose*, i. 263-274.

of the Bond by his reckless freedom in speaking against Argyll to all who were willing, and to some who were very reluctant, to hear; and the same indiscretion enabled his enemies to anticipate another of his schemes, which Baillie, in most undeserved compliment to its author's powers of dissimulation, calls "a wicked plot, desperate, devilish, and new."[1] This project had been devised by Montrose in conference with his relatives, Lord Napier, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall; and the sum of it was that Charles should be entreated to come to Scotland, and that, with his countenance in Parliament, Montrose should vindicate himself and his Cumbernauld associates by publicly accusing Argyll. Montrose, however, was too impatient to wait for the fruition of his scheme; and in February, 1641, irritated by the affront put upon him in the burning of his Bond, he cast discretion to the winds in a conversation with Robert Murray, minister of Methven, in which he divulged the whole story both of the dictator and the triumvirate schemes, and avowed his intention of retaliating on his adversaries by exposing their guilt. Murray immediately reported the substance of this conversation to three other ministers; and one of these, Graham of Auchterarder, was soon called to account at Edinburgh for a speech in which he had referred to the matter at a presbytery meeting. Graham quoted Murray as his authority; and on May 27 the latter was examined before a Committee of Estates, of which Montrose himself was a member. Montrose not only encouraged the faltering minister to make his statement, but corroborated in substance all that he had said; and when Argyll, after many protestations of innocence, challenged

[1] Baillie, i. 356.

him to produce his author, he named Lord Lindsay for the proposed dictatorship, and John Stewart, younger, of Ladywell, for the words pointing to the deposition of the King. Lindsay, on being called, denied that some words he had used as to the old Roman practice of appointing a dictator had any reference to Argyll; but Stewart maintained positively that Argyll in his hearing had asserted that a king who deserted or invaded or betrayed his country might be deposed, and that they had thought of deposing Charles at the last session of Parliament and meant to depose him at the next. He was soon cajoled or bullied into a declaration, unsatisfactory enough at best, that Argyll had discoursed only of kings in general, and that he had maliciously wrested his words to a sinister meaning, "and vented them after that kind." This, however, resulted only in his being sentenced to death under the old statute against lease-making—a statute so severe that Baillie supposes no one had ever suffered under it before; and Guthrie, who attended him in his last moments, hints somewhat obscurely that he confessed to having tried to save his life by a false recantation.[1]

But, if Stewart's confession was false in so far as it exonerated Argyll, there was one part of it, prejudicial to Montrose, which proved to have some colour of truth. He said that he had given a copy of his charges against Argyll to Colonel Walter Stewart to be conveyed by him to Traquair; and Colonel Stewart, in consequence of this information, having been waylaid on his return from Court, a

[1] Napier's *Memoirs of Montrose*, i. 295-304; Stewart's recantation in *Memorials of Montrose*, i. 297-301; Guthrie, pp. 79-82. In Burton's *History* Argyll's victim appears as Captain James Stewart, which again is a mistake for Colonel Walter Stewart, to be immediately mentioned, whom his relative Traquair was in the habit of calling Captain.

letter was found on him from the King to Montrose, announcing merely that he meant to come to Scotland to satisfy his people in their religion and just liberties, and also a mysterious paper written by Stewart himself "in a covered cabalistic way of letters" and names of beasts. The Colonel repeatedly contradicted himself in his attempts to explain the signs and unintelligible expressions of this cipher, which, he said, had been dictated to him by Montrose and Traquair. According to the key as finally adopted by him, which represented R and L—to mention only a few of the signs—as standing for Charles, M and Genero for Montrose, H for officers of state, Dromedary for Argyll, Elephant for Hamilton,[1] the chief points of the correspondence were that Montrose had urged Charles to hold a Parliament in person, and not to consult Hamilton in filling up the offices of State, and that Traquair had encouraged Montrose to collect evidence against Argyll. Montrose and his friends admitted that they had made use of Colonel Stewart to advise the King to come to Scotland, and meanwhile to keep the offices of state vacant; but they declared that the whole of Stewart's paper, in so far as it exceeded or differed from this, was his own invention. Montrose and Traquair professed to be equally astonished at the strange jargon in which they were made to exchange their thoughts; and the latter evinced great contempt for "such scribblings" of his cousin, the Colonel, who, he said, had "ever been known for a fool, or at least a timid, half-

[1] Another of the symbols was Signior Puritano. "I demanded who that was," says Lord Napier in his account of his examination. "They told me it was my Lord Seaforth; whereupon I fell a laughing, and said he was slandered, and they fell in a great laughter."—*Memoirs of Montrose*, i. 335.

witted body." But, however limited his capacities may have been, Montrose and his friends had admitted Stewart to their confidence and allowed him to be present at their discussions; and it is possible that his strange cipher was a device of his own for noting down the heads of a conversation which he did not clearly understand. The "scribblings," however, were suspicious enough, especially in view of what the minister of Methven had just disclosed with regard to Montrose's purpose of calling Argyll to account; and the Covenanting leaders can hardly be blamed when on June 11 they caused Montrose, Napier, and Stirling to be committed as prisoners to the Castle.[1]

Montrose was a very indifferent plotter; but in these transparent intrigues he was trying to give shape to certain political ideas, which were quite in harmony with the needs of the time. The ecclesiastical history of Scotland, from the Reformation to the renewal of the Covenant, may be summed up as the successive predominance of two antagonistic and mutually exclusive principles in two equal periods of forty years. Episcopacy, which in one form or another had held the field since 1598, was essentially modern in spirit, courteous, rational, and tolerant; but it had always been in league with despotism, and latterly, under the auspices of Laud, it had asserted the illiberal pretensions of a priestly caste. Presbytery, on the other hand, strongly anti-sacerdotal in character, had been the champion of freedom in conflict

[1] *Memoirs of Montrose*, i. 307-325, 295-297; Indictment of Montrose and his defence in *Memorials*, i. 319-362. Sir Archibald Stewart was not committed till July 27. Stevenson confounds Sir Archibald, a Lord of Session, with Sir Lewis Stewart, who had acted for a time as King's Advocate in place of Hope.

with the civil power; but its resistance to despotism outside the Church was no bar to the despotism of a bare majority within, it was as ready to assail as to repel the State, and its spirit was still in the main the spirit of Knox—coarse, violent, tyrannical, and crude. This system had now been restored under conditions which developed its vices and made no demand on its negative virtue; for Scotland had no longer a resident king, and the nobles, who had resisted theocracy in former days, were now committed to its support. Montrose was not the only man who foresaw that presbyteries would soon become at least as intolerable as bishops; but more fully than any other, he embodied that approximation in spirit of the two systems which was eventually to be realised in the national life.

The two-sided character of Montrose's opinions is clearly revealed in what we know of their origin, and in the account of them which he himself has given. His brother-in-law and former guardian, Lord Napier—a sagacious courtier of the Sir James Melville type—had imbued him with a strong antipathy to "churchmen's greatness"; and so little had this impression been effaced in after years that in a proclamation drawn up, though not published, in his name, at the summit of his military career, we find him denouncing "the sometime pretended prelates," who had usurped the chief places in Church and State, had preached "the very quintessence of popery," and "by enforcing on the Kirk a dead Service-Book," had stolen away the life of the Gospel.[1]

[1] *Memorials*, i. 217. So, too, just before his execution he is reported to have said, "Bishops I care not for them, I never intended to advance their interest." The editors of the *Deeds of Montrose* (p. xxxviii.) are of opinion that he would never have expressed himself in terms of this proclamation, the only copy of which known to exist is in Lord Napier's

But Lord Napier believed in the divine right of kings as firmly as he repudiated both the right and the expediency of bishops; and this doubtless explains the reluctance of his pupil to take part in the revolution, which is implied in Baillie's statement that he was brought in by "the canniness of Rothes," and in his own words to the minister of Methven, "You were an instrument of bringing me to this cause."

It was not from Napier, however, but from his own experience as a Covenanter, opposed first to King Charles and then to Argyll, that Montrose had derived his idea of a golden mean between the royal power unduly extended, which is despotism, and the royal power unduly restrained, which is "the oppression and tyranny of subjects—the most fierce, insatiable, and insupportable tyranny in the world." In attempting, about the time of the discovery of his Cumbernauld Bond,[1] to draw the line between these two extremes, he was naturally induced by recent events, as well as by his early education, to keep much further from the latter evil than from the former. Thus he holds that the subject "is obliged to tolerate the vices of his prince as he does storms and tempests and other natural evils,

handwriting; and they remark that there is no evidence that he ever saw it. But even on the assumption that Napier wrote the paper without consulting his leader, no one could know better what Montrose was likely to approve; and in the absence of any proof that Montrose did not see the proclamation, the presumption is that he did.

[1] Mr Napier thinks that the letter on "the supreme Power in Government of all sorts," printed both in the *Memoirs* and in the *Memorials*, was written about the close of 1640, or the beginning of 1641. Certain "Axioms of Government," printed in *Memorials*, ii. 54, from a paper in Lord Napier's handwriting, contain the substance of this essay; but Napier's original conception of the prerogative had been much less moderate, as appears from his "Short Discourse upon some Incongruities in Matters of Estate."—*Memorials*, i. 70.

which are compensated with better times succeeding," and that the prince being mortal, patience in such cases is "a sovereign and dangerless remedy." On the other hand, he expressly says that sovereign power is limited by "the fundamental laws of the country"; and that, though it is not the people's business "to take upon them to limit and circumscribe royal power," yet Parliaments, "which ever have been the bulwarks of subjects' liberties in monarchies," may justly "advise new laws against emergent occasions which prejudge their liberties, and so leave it to occasion and not prevent it by foolish haste."[1] The great obstacle, in Montrose's opinion, to the realisation of his ideal was "the ambitious designs of rule in great men," seconded by the sophisms of "seditious preachers"; and as the King was necessarily the pivot of the whole scheme, we find him soon afterwards exhorting Charles not to let his subjects question his power, but at the same time to confirm them in their religion and just liberties, and without aiming at absolutism, which the people of Western Europe, and of Scotland especially, could never long endure, to "practise the temperate government."[2] Montrose did well to labour and suffer for this ideal, impracticable as it then was;[3] for in the light of subsequent history we need not ask who were the true visionaries — those who destroyed and resuscitated

[1] This, it need hardly be said, is the true spirit of the English Constitution—the spirit of Magna Carta as opposed to that of the Declaration of the Rights of Man.

[2] Letter to Charles, *Memoirs*, i. 311-313. This was probably the letter, the answer to which was intercepted on the person of Colonel Walter Stewart.

[3] "What we call illusions are often, in truth, a wider vision of past and present realities—a willing movement of a man's soul with the larger sweep of the world's forces—a movement towards a more assured end than the chances of a single life."—George Eliot.

despotism in the attempt to establish a theocratic Church, or those who looked forward to a non-political Presbytery and a constitutional King.

The author of these political lucubrations may have been influenced to some extent by Drummond of Hawthornden, the chief, or rather the sole, literary genius in the Scotland of his day. Montrose's biographer believes that Drummond was the "Noble Sir" to whom he addressed his letter on sovereign power, and Drummond's biographer conjectures that the nobleman, to whom the author sent a copy of his *Irene*, may have been Montrose. Drummond, doubtless, was a loyalist of liberal and independent spirit. He had penned a strong remonstrance against the prosecution of Balmerino, and sent it, under no injunction of secrecy, to the Earl of Ancram at Court; he cared little for bishops, and in his *Irene* he eloquently denounces priests and preachers—the "sacred race," which had deluged the world with blood "for the maintaining of those opinions and problems which ye are conscious to yourselves are but Centaur's children."[1] In his conception of the kingship, however, Drummond was practically at one with Lord Napier, before the latter had advanced with his former pupil to a more liberal view. Though he made no attempt to reconcile such a doctrine with his belief in the duty of non-resistance, Montrose asserts that there are certain limitations of royal power, "in prejudice of which a King can do nothing"; and amongst these, as we have seen, he includes not merely "the laws of God and nature and some laws of nations," but "the fundamental laws of the country . . . which secure to the good subject his

[1] Masson's *Drummond*, pp. 237, 281.

honour, his life, and the property of his goods." Napier, on the contrary, had repudiated as a contradiction in terms the idea "of a Sovereign prince's subjection to the civil law of his own dominions," just as Drummond had denounced the Covenant because "it giveth a Law to a King," and because kings "are not to be judged by their subjects, for no power within their dominions is superior to theirs." [1]

We have seen that the Reformation and the Covenanting movement possess some features in common; and it is impossible in this connexion to overlook a certain similarity in the careers of Maitland and Montrose. Each was a man of genius who attempted to overrule a religious movement according to his own political ideas; and as Maitland had sought to find a place in the Protestant revolution for the Catholic Mary, so Montrose, in the Puritan revolution, sought to find, or rather to retain, a place for the Episcopalian Charles. The failure of the attempt in both cases must be ascribed chiefly to the character of the sovereign; for Charles, irresolute, slow-witted, and narrow, fell as far short of the requirements of his position as Mary in the reckless profusion of her powerful nature had overridden the restraints of hers. Montrose, however, was always a wretched politician; he had no talent for intrigue; and thus, forcible without being subtle, he was quite wanting in that rare combination of powers, bewitching, confounding, and undermining his opponents at

[1] Napier's "Short Discourse upon some Incongruities in Matters of Estate"—*Memorials of Montrose*, i. 78; Masson's *Drummond*, pp. 276-277. In view of these discrepancies, Professor Masson seems hardly justified in describing Montrose's letter on Supreme Power as "so much like a repetition or sequel of" the *Irene*.—*Life of Drummond*, p. 347.

every turn, which had made Maitland the terror and the wonder of his age. His fame rests wholly on his military career, enhanced by the prominence it has given to so winning and so brilliant a personality in a company of self-seekers and zealots, and at a time when men of anything like genius were more than usually rare. Montrose's pagan love of virtue for virtue's sake—his "vain humanities," to use Baillie's phrase—secured him from all baseness in his insatiable thirst for glory. Open as the day, he never sought to conceal the soaring ambition which carried him as high in fancy as Caesar and Alexander the Great; and the "noble and true-hearted cavalier," as Rothes called him, would have been immensely gratified to find himself described by De Retz as "the solitary being who ever realised to my mind the image of those heroes whom the world only sees in the biographies of Plutarch." One may suppose, indeed, that a character so bent on greatness must, like that of Chatham, have been somewhat self-conscious and over-strained. Montrose's biographer remarks that he "would never abate a single iota of the authority and etiquette of his high credentials";[1] and the tone of some of his despatches suggests that Burnet may not be actuated merely by jealousy of Hamilton's rival in saying that he "had taken upon him the port of a hero too much and lived as in a romance; for his whole manner was stately to affectation."[2] But, if Montrose resembled Chatham in the studied grandeur of his public bearing, he had none whatever of Chatham's reluctance, or rather inability, to unbend in private. Amongst his friends no man could be more simple, courteous, unassuming, and frank. Patrick

[1] Napier, *Memoirs*, ii. 420. [2] *Own Time*, i. 53.

Gordon attributes the intense devotion he inspired to his dispensing with "that English devil, keeping of state"; and Gordon's portrait of the Great Marquis is particularly valuable, not only on account of the fine discrimination of the author,[1] but because the chief object of his work is to vindicate Huntly at the expense of Montrose:—"An accomplished gentleman of many excellent parts; a body not tall, but comely and well composed in all his lineaments, his complexion merely white, with flaxen hair; of a staid, grave, and solid look, and yet his eyes sparkling and full of life; of speech slow, but witty and full of sense; a presence grateful, courtly, and so winning upon the beholder, as it seemed to claim reverence without suing for it; for he was so affable, so courteous, so benign, as seemed verily to scorn ostentation and the keeping of state, and therefore he quickly made a conquest of the hearts of all his followers, so as, when he list, he could have led them in a chain to have followed him with cheerfulness in all his enterprises." [2]

Charles reached Holyrood on Saturday, August 14, accompanied by his nephew the refugee Elector Palatine, Hamilton, and the Duke of Lennox. On Sunday he had a sermon from Henderson in the Abbey Church, followed by a rebuke, which he took care not to incur again, for neglecting service in the afternoon; and on Tuesday, after another sermon, he drove in pomp to the Parliament House, where the Estates had been enjoying their new constitution since July 15, on the understanding that nothing should be concluded, except in

[1] Gordon's chronicle, except for its abuse of Montrose's biographer, Wishart, breathes almost as mild a spirit as the *Diurnal of Occurrents*.

[2] Gordon, *Britane's Distemper*, p. 76.

case of necessity, till the King arrived. The King, indeed, was not likely to refuse their demands; for he had committed himself in the treaty to the most ample concessions, which, in the hope of obtaining assistance against the English Parliament, he was quite prepared to make good. He was reluctant, however, to resign what little remained of the prerogative without some better assurance than mere professions of loyalty that he should not miss his reward; and after four weeks spent in ingratiating himself with the Covenanters to the utmost of his power, he was deeply mortified to find that he could obtain no abatement of the demand of the late Commissioners concerning the royal patronage, his answer to which in the treaty he had referred to the consideration of Parliament. The House insisted on his assenting to a bill which provided that it should be consulted in the appointment of officers of state, Privy Councillors, and judges; and after the members in token of gratitude had risen in a body and bowed to the ground, they immediately showed how vexatious this concession would prove in the hands of a popular assembly, such as the Scottish Parliament now was. Argyll succeeded in defeating the King's proposal as Treasurer, first of the Earl of Morton, and then of Lord Almond, though his influence in the House was not sufficient to procure the office for himself; and for the "quiet settling" of the dispute it was persistently, but vainly, demanded that the Treasurer, and also the Clerk-Register, should be actually nominated in Parliament. Charles wished to make Loudoun Chancellor, but the Estates had a fancy for making him Treasurer; and under Argyll's influence, they took so long to decide what they should do with Loudoun, debating whether the appointment should not be in their own hands and

whether they ought not to give their votes by ballot, that Charles complained that "new questions and difficulties" sprang up like mushrooms in a night; and at last, losing all patience, he declared that, unless they gave him an answer at once, he would not consult them at all. The Estates were thus retaliating on Charles, who had come to Scotland in his own interest, by looking sharply after theirs; and the spectacle of his baffled ambition was pathetic enough. "There was never King so much insulted over," wrote Sir Patrick Wemyss to the Marquis of Ormonde. "It would pity any man's heart to see how he looks."[1]

When Charles first thought of winning Scotland to his side against the English Parliament, it probably occurred to him that, if the prerogative should have to be surrendered without fetching its price, he might still be able, with the aid of the loyal minority, to hold the Covenanters in check; and but for his hope that Argyll, like the late Earl of Rothes, would be won over by Hamilton, he would doubtless have been content that Montrose should convict him of aiming at the crown. Montrose's plot, exploding prematurely, had procured him a lodging in the Castle; and now that Hamilton's scheme had also failed, it was unfortunate for the Marquis, whom the Covenanters had once denounced as an incendiary, that he should be the only gainer by his intimacy with Argyll. Charles himself told Lanark that he believed him to be an honest man, but that he thought his "brother had been very active in his own preservation";[2] and those who had never loved Hamilton condemned his conduct in much stronger terms. Lord

[1] Quoted by Napier, *Memoirs of Montrose*, i. 355; Balfour, iii. 65-78; Baillie, i. 389-390.

[2] *Hardwicke State Papers*, i. 299.

Ker, "after too much drink," sent him a challenge as a juggler and a traitor;[1] and the Earl of Carnwath was reported to have said "that now we had three kings, and by God two of them behoved to want the head." On October 11 Sir William Dick stated in Parliament that these words "with great execrations of Hamilton and Argyll," had been addressed to him on the previous day;[2] and the House at once accepted them as the mutterings of a subterranean convulsion, terrible to supernumerary kings, the shock of which had that morning been felt.

This affair proved to be almost as great a riddle as Colonel Walter Stewart's hieroglyphics. It came to be known in the language of the day as the Incident; and the depositions taken by the secret committee of inquiry, most of which have recently been recovered, are so contradictory that we can easily understand how it received so colourless a name. It would seem that a plot of some kind had been formed for curbing the power of Hamilton and Argyll, the main contrivers of which were Montrose's Cumbernauld associate, Lord Almond, and William Murray of the Bed Chamber, who is supposed in former days to have communicated Court secrets to the Covenanters by making free with the King's pockets. The conspirators intended only to arrest the two noblemen and to bring them to trial for treason; but as both were territorial princes and were believed to

[1] Baillie, i. 391. Lord Ker had gone over to the Covenanters at Duns Law under the King's very eyes; and according to Guthrie (p. 88), "his father being such an awful man," it was thought the son must have acted with his consent. The "awful man," now Earl of Roxburgh and Lord Privy Seal, was the Ker of Cessfurd, who in 1593, meeting Bothwell accidentally, had fought with him, two on a side, for several hours without result.

[2] Balfour, iii. 101.

have 5000 retainers concealed in the town, they had probably made overtures to General Leslie with a view to being prepared, if necessary, to meet force with force.[1] A certain Colonel Cochrane, whom Montrose had once terrified by his reckless speeches against Argyll, stated at his examination that Murray had questioned him as to the temper of his regiment, then lying at Musselburgh, that he had said he believed he could rely on it in a good cause, and that Murray had then assured him that he should be bidden to do nothing, for which he had not the General's order. From Murray's own evidence it appeared that he had brought the King two letters from Montrose, to which he took back an unfavourable reply, and a third, offering, without actually naming him, to prove Hamilton a traitor, which, when the plot was revealed, Charles had resolved to lay before certain persons of note, including Loudoun, Leslie, and Argyll; and he also admitted that he had procured Cochrane a secret interview with the King. Murray may have hoped that Charles would see some necessary connexion between Montrose's accusations and Cochrane's troops; but even the military conspirators were not prepared for the development given to this part of the scheme by two veterans of the Thirty Years' War—the Earl of Crawford, who had carried Lord Ker's challenge to Hamilton, and Lieutenant-Colonel Alexander Stewart. Cochrane, ready enough to take action against Hamilton and Argyll "in a fair and legal way," was disgusted to hear Crawford speak of cutting their throats; and on October 11 Leslie warned the two peers that one of his officers, who had his information from Captain Stewart, the Colonel's cousin, had told him of an attempt to be made that

[1] This is Mr. Gardiner's suggestion.—x. 23.

night to carry them off to one of the King's ships, and according to "the custom of Germany," if their friends attempted a rescue, to kill them on the spot. Hamilton at once went to the King, and in his "parabolical way" hinted that a conspiracy had come to light, which would necessitate his leaving the Court. Captain Stewart's testimony was fully confirmed by that of other officers who had been asked, and had refused, to take part in the plot; and on the evening of the following day Argyll, Hamilton, and his brother Lanark fled to Kinneil, the Marquis's residence in West Lothian.

The fugitives professed to have withdrawn in order to avoid a tumult in the streets; for the King had come up to the Parliament House in the afternoon with all the incriminated officers and some 500 soldiers escorting his coach. Charles was much agitated when he rose to address the House. With tears in his eyes, he spoke of the confidence he had always reposed in one whom those of best credit about him had long suspected and denounced; he complained of the scandal raised against him by Hamilton's flight, and "since he had made such a noise and business," requested as due to himself that the whole matter should be publicly examined. The nobles, with few exceptions, supported his demand; but the barons and burgesses cared far less to vindicate the King than to prosecute the incendiaries, as they called them, who had plotted mischief to Hamilton and their beloved Argyll. They insisted on an inquiry by secret committee as likely to be more thorough; and Charles, after ten days' wrangling, was forced to give way. The committee reported on October 28, when all the depositions were read; and as Crawford had denied everything, and Colonel Stewart had denied enough to extinguish the Captain, the Incident terminated in a

resolution of the House that the three peers had been well advised to withdraw, and now, in the public interest, should be invited to return.[1]

Charles was now as eager to get away from Edinburgh as he had once been to get there; and the news of the Irish rebellion, which he communicated to Parliament on the 28th, was a sufficient apology for haste. He could not decently leave, however, so long as the Royalist conspirators remained in prison; and Argyll, who could well afford to be generous, exerted himself with "the grand committee for accommodation" to bring matters to a favourable issue. On November 16 it was agreed that all the imprisoned officers should be unconditionally discharged; that Montrose, Napier, Stirling of Keir, and Stewart of Blackhall, Colonel Walter Stewart, Sir Robert Spottiswoode, and Sir John Hay should be released on condition that they promised to appear for trial before a committee of the Estates on January 4, 1642, and that the sentence to be passed on them should be remitted to the King. Before voting the list of Privy Councillors, the House substituted seven nominees of its own for eight of the King's; and the dispute about the Treasury was settled by putting it into the hands of Argyll and four other commissioners, till the King could be prevailed upon to give it wholly to Argyll.[2] Charles attempted to qualify, if not to retrieve, his defeat by a lavish bestowal of honours. Argyll was made a Marquis, Lords Loudoun and Lindsay were made Earls; Leslie, in addition to a grant of 100,000 merks out of the "brotherly

[1] *Fourth Report of the Royal Commission on Historical Manuscripts*, pp. 163-170, where the depositions are printed from a copy discovered in the archives of the House of Lords; Lanark's account of the Incident in *Hardwicke State Papers*, ii. 299-303; *Hamilton Papers*, pp. 103-106; Balfour, iii. 94-130; Baillie, i. 392-393.

[2] Baillie, i. 396.

assistance," was made Earl of Leven; Lord Almond became Earl of Callander; and Johnston of Warriston was knighted, raised to the bench, and received a pension of 200*l.* The Earl of Carnwath, whose name had been struck out of the list of Privy Councillors, satirised the policy of these promotions by saying that he would go to Ireland and join the rebels, "and then he was sure the King would prefer him"; not a few Royalists are said to have withdrawn in disgust; and some who remained faithful regretted, since this course had been adopted, that they could not prevail upon the King to do something—beyond making him an extraordinary Lord of Session—for his old enemy, Balmerino.[1]

Charles had thus discouraged the Royalists; and far from winning over his opponents, he had strengthened the more violent, and discredited all who had shown any sympathy with his design. The Incident, besides the good it did to Hamilton, greatly increased the popularity of Argyll.[2] Henderson, on the other hand, was thought to have been "too sparing" with the King; and the zealots looked on him with disfavour, because in his sermons he had reflected on some of their proceedings in Parliament, and because he had urged that the plotters and incendiaries should be liberated without trial. Still worse was the position of the late Commissioners, who under Rothes' influence had been mainly instrumental in bringing the King to Scotland. Baillie remarks that five of them had lost all credit with the Estates; and two only, whose fanaticism was

[1] Guthrie, pp. 91, 94; Balfour, iii. 148, 158.

[2] "Sure their late danger was the mean to increase their favour with the Parliament: so whatever ruling they had before, it was then multiplied. The Marquis did not much meddle; but the leading men of the Barons and Burrows did daily consult with Argyll."—Baillie, i. 393.

beyond reproach—Johnston of Warriston and Sir John Smith, Provost of Edinburgh—were placed on a new commission, which was to negotiate a settlement of certain points left undetermined by the treaty, and also to arrange with the English Parliament for the despatch of Scottish troops to put down the rebellion in Ireland.[1] The appointment of this commission was a fresh blow to Charles, since it maintained that correspondence between the two Parliaments which it had been his chief object to break off;[2] and the blow was the heavier, because another commission of fifty-seven members—twelve of them being a quorum—was instituted at home "for conserving the Articles of Treaty."[3]

Charles arrived at London on November 25, three days after the Grand Remonstrance had passed the Commons, and by finally dividing the Episcopalian and Puritan parties, had committed England to a civil war. On January 4, 1642, he made his unfortunate attempt to arrest the five members; on April 23 Hotham refused to admit him to Hull; and on August 22 the royal standard was raised at Nottingham.

If Charles had any hope that the surrender, by which he had thought to win the support of the Covenanters, would at least suffice at this crisis to keep them neutral, he was speedily undeceived. On January 15, 1642, after he had withdrawn to Windsor, the Scottish Commissioners approached him with a petition, in which they besought him "to have recourse to the

[1] Some 4,000 men under the Earl of Leven were landed at Carrickfergus in the following spring.

[2] Baillie says the commission was appointed "not so much for the perfecting of our Treaty as to keep correspondence in so needful a time."—i. 397. A huge commission was also appointed "for regulating the common burdens of the kingdom."—*Act. Parl.* v. 391-395.

[3] *Act. Parl.* v. 404-405.

sound and faithful advice of the honourable Houses of Parliament," and "to consider and prevent these apprehensions of fear which may possess the hearts of your Majesty's subjects in your other kingdoms, if they shall conceive the authority of Parliament and the rights and liberties of the subject to be here called in question."[1] Charles, in dread of some such action on the part of the Commissioners, had warned them only two days before not to intervene without first communicating their intentions to him in private; and on receipt of this petition, which, though accompanied by an appeal to the two Houses, was more like a threat than an offer of mediation, he sent Lanark to rebuke the Commissioners for disregarding his orders, and to express his confidence that they would be more careful in future. He also wrote to the Chancellor, Loudoun, complaining that the Commissioners had exceeded their powers, and requesting a copy of any instructions which had been given to them by the Council or which should hereafter be given. The Argyll party, however, had no intention of holding aloof; and in May Loudoun himself was despatched as mediator to York, where the King then was, with the intention, doubtless, that he should proceed to London. Charles was so far successful with this envoy that he prevailed upon him to write a sharp letter to the Commissioners, and instead of continuing his journey, to go back and summon a meeting of Council for the purpose of sanctioning what Baillie calls "a boasting mediation to the terrifying of the Parliament." This project was welcomed by a considerable number of the nobility, who presented a petition[2] in its support; but Johnston of Warriston was

[1] Rushworth, pt. iii. vol. i. 498.

[2] Printed in *Memorials of Montrose*, ii. 60.

sent down by the Commissioners to agitate against the King's appeal, and on the day of meeting the gentry and burgesses flocked in such numbers to Edinburgh that the Council was intimidated into making an unfavourable reply.[1]

On July 27 there was an Assembly at St. Andrews. The Earl of Dunfermline as Commissioner presented a letter from the King, in which, after assuring the Assembly that he had no other desire than to govern his several kingdoms "by their own Laws and the Kirks in them by their own Canons and Constitutions," he said he had no doubt that "in thankfulness for your present estate and condition you will abstain from everything that may make any new disturbance, and that you will be more wise than to be the enemies of your own peace." The Assembly professed that their "hearts were filled with great joy and gladness at the hearing" of this letter, which, however, they entirely controverted in their reply, demanding uniformity of Church government, and praying that the King would be pleased to concur with the Houses of Parliament in "this blessed Reformation." The Houses had sent down a copy of a declaration, in which, after abusing the Papists and bishops who had interrupted so pious a design, they professed their readiness to undertake "such a Reformation of the Church as shall be most agreeable to God's Word." Dunfermline besought the Assembly, even with tears, not to answer this declaration without consulting the King; but the members insisted on answering it at once, and in very uncompromising terms. After congratulating the Parliament on its zeal for reformation, they urged that uniformity must first be sought in the plucking up of prelacy, root and branch; and they

[1] Burnet, pp. 241-244; Baillie, i. 43; Clarendon, ii. 408.

expressed their conviction that "the Prelatical Hierarchy being put out of the way, the work will be easy without forcing of any conscience," because, whilst Presbyterians regarded their system as "jure divino and perpetual," Episcopalians, "almost universally," claimed no such sanction for theirs, which, therefore, for so good an object they might justly be required to give up. The Assembly enforced its demand for religious uniformity by petitioning the Privy Council and the Conservators of the Peace[1] to use their best endeavours for this end, and by appointing a standing committee for the same purpose with almost unlimited powers.[2]

Meanwhile, after his failure to obtain from the Council a declaration in his favour, Charles had allowed Hamilton to go to Scotland on a general understanding that he should do his best, since nothing more could be expected, to keep the Covenanters neutral. That ambiguous politician had lately been excelling himself in his efforts to reconcile his own interests with his loyalty to the Crown. On his return to London with the King, he found to his alarm that some of the Commons had recurred to the idea of impeaching him as a great incendiary, inferior only to Strafford and Laud; and though this design was frustrated by certain Puritan peers with whom he had maintained a correspondence during his visit to Scotland, he represented to the King that, unless he meant to break absolutely with the Parliament, his servants should make every effort to retain its goodwill, and so obtained permission, which he turned to the best account, "to use all means for his own preservation."[3] When he came to Edinburgh in

[1] That is, the commission "for conserving the Articles of Treaty."

[2] Peterkin, pp. 320-332; Baillie, ii. 45-54.

[3] Burnet, pp. 239-240.

the beginning of July, the Covenanters hardly knew what to expect from him, seeing that he had lingered long in London on the plea of sickness, and had subsequently spent a month with the King at York; but finding that he brought no instructions from either side, they supposed that, "to eschew drowning," he had resolved for a time at least to leave both.[1] Yet, though Hamilton had come in no official capacity and seemed bent only on cultivating his intimacy with Argyll, he was busy with a scheme of his own in the King's interest, the purport of which was that the Scots should invite Queen Henrietta Maria from Holland to mediate between her husband and the Parliament. A more unwelcome mediator from the Puritan point of view it is impossible to conceive; but Hamilton cared little for the success of his scheme so long as it committed the Covenanters to the royal cause; and if it be true that, besides winning the approval of the Conservators of the Peace, he persuaded Argyll, Loudoun, Henderson, and even Warriston, to sign a letter of invitation to the Queen, promising to allow her the free exercise of her religion, one can well believe Burnet's statement that wise men considered this "the masterpiece of the Marquis's life." Charles loved his wife too well to allow her to undertake so hazardous a mission; but he showed his appreciation of Hamilton's services by a promise of the dukedom, which was conferred upon him in the following spring.[2]

Hamilton now almost despaired of his efforts to keep the Covenanters in check, and in spite of his anxiety to be on good terms with both parties, events soon forced him to take his stand with the King. In November, when the Royalists were marching on

[1] Baillie, ii. 44. [2] Burnet, pp. 249-258.

London after the battle of Edgehill, the Parliament made an appeal for help through Lord Lindsay, one of the Scottish Commissioners in London; and in answer to this paper, which is said to have been brought to him by Lindsay himself, Charles sent down a vindication of his proceedings, which he required the Council to publish. At the next Council meeting, after the two declarations had been read, Hamilton moved that the King's, and that alone, should be printed; and after a long debate, in which Argyll and Balmerino urged the printing of both or of neither, the motion was carried by eleven votes to nine.[1] The clergy at once took alarm—"This was a trumpet," says Baillie, "that wakened us all out of our deep sleep."[2] Edinburgh was speedily invaded by a throng of Fifeshire ministers and lairds; and on their petition, backed by that of the Commissioners of Assembly and the Conservators of the Peace, the Council consented to publish the declaration of the Parliament, and to pass a resolution, for which they had the royal warrant, that the edict for printing was in itself no approbation of the King's. The Royalists had presented a "cross petition"[3] drawn up in the happiest terms by Traquair, in which, after expressing their desire for unity of religion without prejudice to the royal authority and the right of their brethren in England, they besought the Council to be careful of the King's honour in answering the other petition, and if they thought good to answer the declaration of the Parliament, "not to declare, enact, or promise anything which may trouble or molest the peace of this kirk and kingdom." The Commissioners of Assembly were cut to the quick by this paper, which

[1] Burnet, p. 262.

[2] Baillie, ii. 58.

[3] Printed in Burnet, pp. 263-267.

insinuated that they were the true enemies of union, who sought "to weaken the head whereby it is knit together," and "to prescribe rules or laws of reformation to our neighbour kingdom"; and having laboured in vain to intimidate its promoters, they denounced it at great length in a declaration, a copy of which, and of a more general paper entitled *A Necessary Warning*, they sent to every minister in the country, requiring both papers to be read from the pulpit, and the presbyteries to proceed against all persons who should try to obtain signatures to the "malignant petition."[1] This was the first public step in the development of a spiritual tyranny, the coarsest and the most merciless that a Protestant country has ever known; and though not a single minister could be induced to sign the "cross petition," it is gratifying to find that several presbyteries refused to obey the order of the Commissioners, and that some "bitter papers"—not to mention the brilliant *Skiamachia* of Drummond—were circulated against it.[2]

The result of the agitation was that the Conservators of the Peace sent four of their number to mediate, as they called it, between the King and the two Houses, to promote uniformity of Church government according to the Presbyterian model, and to request the King to summon a Parliament in Scotland. When these

[1] *A Declaration against a Cross Petition; A Necessary Warning to the Ministers of the Kirk of Scotland*, 1643.

[2] Baillie, ii. 69, 76. The chief recusant Presbytery was that of Auchterarder. At the next Assembly some ministers who had read the two papers in spite of the Presbytery's prohibition were "gently rebuked," whilst others who had caused parts only to be read, and one who had had the papers read before he entered the church, "were sharply rebuked, and their names delete from among the members of this Assembly."—Baillie, ii. 91-92.

envoys arrived at Oxford towards the end of February, 1643, Charles told them plainly that he could not submit his differences with the Parliament to private persons, such as he took them to be; for the Act appointing the Commission had expressly limited its powers to the articles of the Treaty, and moreover, the quorum required by that Act was twelve, and not four. He refused to convene the Estates, and he refused on any consideration to allow them to proceed to London, expressing much suspicion as to what they meant to do there; and the Earl of Crawford is said to have warned them that, if they started for that destination, they were not likely to reach it alive.[1]

Montrose had been living in retirement since the preceding March, when, in accordance with the resolution of Parliament, he was tried for form's sake by a committee, and allowed to receive a pardon from the King. Like most other Royalists, he was now convinced that his countrymen would soon be in arms against the Crown; and in February, when the Commissioners were on their way to Oxford, hearing that Henrietta Maria had arrived at Burlingtown in Yorkshire, he went thither to represent to her the importance of anticipating the Covenanters by raising an army in the royal cause. Montrose accompanied the Queen to York; and there the rejection of his scheme was ensured by the arrival of Hamilton and Traquair. By his own account, Hamilton admitted that the Scots could not be kept out of England for more than the current year; but he insisted that the King would compromise his honour to no purpose by striking the first blow, for a rising in the Lowlands would be immediately overpowered,

[1] Burnet, pp. 267-279.

and if Highland troops achieved anything, they would be sure to go home with their booty after the first success. Charles was naturally more disposed to drift with Hamilton than to act with Montrose; but Hamilton could hardly have won over both King and Queen unless he had given them some reason to believe that he would be able to prevent the threatened invasion, and not merely to stave it off.[1]

On May 9, having returned from Oxford, the baffled envoys made their report to the Council, from which it appeared that Charles had refused to call a Parliament; and two days later, at a joint meeting, the Council, the Conservators of the Peace, and the Commissioners for Public Burdens took the law into their own hands by requiring the Chancellor to issue writs for a Convention of Estates on June 22, the chief pretext alleged being the necessity of raising funds for the army which had been sent to Ireland at the expense of the English Parliament, but which that body was no longer able to pay. The Royalists of the Montrose connexion were eager to accept this

[1] Burnet, pp. 271-272, 340. In the seventh article of the indictment brought against him at Oxford at the close of the year, it is said that Hamilton undertook, by pacific means, to keep Scotland from attempting anything against the King; and from his subsequent utterances one must infer that he had suggested, at least, the probability of some such result. Thus in April we find him assuring the Queen that she may rely on Leven's promise to do his best that the King shall receive no prejudice from the Scottish troops in Ireland; and in June he counsels Charles to authorise the Convention, which had been summoned in defiance of his orders, in order to conciliate a party which was anxious only to secure religion in Scotland and had no aggressive designs.—Burnet, pp. 276, 291. When the Scots were actually preparing to invade England in the autumn, Traquair asked Hamilton at a meeting of Royalists "whether or not he had given assurance to the King that Scotland should not raise arms. He answered he had given assurance to his Majesty, but for the last summer."—Spalding, ii. 292.

proceeding as a declaration of war; and Charles, as soon as the committees had apprised him of their intention, sent a letter to the Council, which Hamilton was to exhibit at his discretion, commanding them to desist. But Hamilton—Duke of Hamilton, as he now was—still adhered to his pacific policy. He combated the proposal to use force with the same arguments that he had put forward at York; and having withheld the letter to the Council, he prevailed upon Charles to emphasise, indeed, the illegality of the Convention, but, since he could not prevent it, to allow it to meet on condition that it concerned itself solely with domestic concerns and with the needs of the Irish army, and took no resolution for recalling that army or for raising a new one at home.[1] Disclosures, however, were soon made as to the King's designs in Ireland, which made it very improbable that the Convention would conform itself to this limitation of its power. Towards the end of May the Earl of Antrim, one of those who had conferred with the Queen at York, was captured near Carrickfergus by a party of Scottish horse; and from his deposition, as well as from papers in his possession, it appeared that he had a commission to treat with the Irish rebels with a view to liberating both armies for the King's service in England, that the Scottish troops, if they could not be won over, were to be driven out, that the English and Irish, when they had crossed the Channel, were to be joined at Carlisle by some Scottish cavaliers, and that Montrose and Huntly were to attempt a rising in the north. Argyll made the most of this discovery by getting the Council to issue and circulate a full

[1] Burnet, pp. 279-294.

account of it in print; and as Charles had just published a proclamation, in which he denied that he had accepted the services of Papists, this was hailed by the zealots as a very effective reply.[1]

When the Convention met on June 22, Lanark presented a letter from Charles drawn up in accordance with Hamilton's advice; and then ensued a long debate as to whether the Convention had full power or was bound to observe the limitations prescribed by the King. On the 26th, by a large majority, the House voted itself to be a free Convention, the minority being composed of eighteen peers and only one knight. Hamilton then withdrew; but it is characteristic of him that he took care not to protest formally against the Convention, lest in so doing he should incur the penalty of treason, and that he declined to advise some Royalists who asked him whether they should remain or withdraw.[2]

On June 27 the Convention expressed its gratitude to the Commissioners of Assembly for a Remonstrance in which the country was represented as in greater danger from Papists than at the time of the Armada; and next day it resolved that copies of the letters seized with Antrim should be sent to the English Parliament. The English Parliament, however, had already received information of the plot; and on the 27th, when the news reached London, the two Houses at once resolved that a deputation should go to Scotland to take counsel with the Covenanters and to invite them to send representatives to the forthcoming assembly of divines. At that time, owing to a fear that the King might retaliate by calling in Irish or continental troops, it was not proposed to renew the appeal of the preceding autumn for military

[1] Baillie, ii. 73-74. [2] Burnet, pp. 298-299, 338.

aid; but on July 19, after the great Royalist victories of Adwalton Moor, Lansdown, and Roundway Down, the resolution of June 27 was superseded by another, which provided for the despatch of commissioners to demand an army of 11,000 men.[1] Meanwhile at Edinburgh the Covenanters were much puzzled to account for the silence of their Puritan friends. They had fully expected, since both the date of the Convention and its object had long been known to the English Parliament, that commissioners would have been sent down in time to be present on the opening day; and as the panic caused by the Antrim disclosures was beginning to subside, it greatly annoyed them that no communication at all was received from London till Corbett, one of the Commons, appeared two weeks later, bringing an invitation to the Westminster Assembly, and an apology for delay in sending the deputation which had been voted on June 27. For five weeks more the Estates waited impatiently to begin the business, for the sake of which they had repudiated the restrictions imposed upon them by the Crown; and having made provision for the regiments in Ireland and raised a small body of troops at home to keep the Royalists in awe, they beguiled the time—to use Baillie's phrase—by prosecuting as incendiaries some half-dozen lords, whom Charles at Hamilton's request had sent down to his support. On August 2 a General Assembly was opened by Sir Thomas Hope as Commissioner for the King; and henceforward the two bodies worked in concert—the nobles attending the Assembly in the morning and the Convention in the afternoon.[2]

At length, on August 7, after "message on message" had been sent to excuse their delay and their friends

[1] Gardiner's *Civil War*, i. 208-209. [2] Baillie, ii. 79-80, 85.

were "ashamed of waiting"—Bristol meanwhile having been taken by the Royalists—the English Commissioners arrived at Leith. The two peers nominated by the House of Lords had declined to come, and the deputation consisted of four commoners, the chief of whom was the younger Vane, assisted by two clerical assessors, Marshall, a leading Presbyterian, and his son-in-law Nye, an Independent. The Commissioners summed up the purport of their mission in a paper presented on August 12 to the Convention, and on August 15 to the Assembly, in which they intimated the desire of the English Parliament "that the two Nations may be strictly united for their mutual defence against the Papists and prelatical Faction and their adherents in both Kingdoms," and that the Scots, in earnest of such union, should "raise a considerable force of Horse and Foot for their aid and assistance to be forthwith sent" against the common enemy in England. This paper was both prefaced and reinforced by appeals to the Assembly from the two Houses, from the Commissioners themselves, from the Westminster Assembly, and from seventy individual ministers, entreating the Assembly to "further and expedite the assistance now desired," showing what progress the so-called Reformation had already made in England, and how desirous they all were of "a nearer conjunction betwixt both churches." [1]

These appeals were not likely to be made in vain, inasmuch as the Commissioners of the former Assembly, all of whose proceedings were approved by this, had petitioned the Convention, six weeks before, to the same effect. And yet, long and persistently as the Covenanters had courted an alliance with the English Parliament, they showed some hesitation to take the

[1] Peterkin, pp. 347-353.

final plunge. According to Burnet, that which chiefly influenced them in favour of an invasion of England was the consideration that the garrisons, which had been withdrawn from Berwick and Carlisle in terms of the treaty, would in all probability, by one or other of the belligerents, be soon replaced—especially as the Royalists had now a large army in the north, that these garrisons would send foraging parties into Scotland, and that any troops which might be levied to repel such incursions could be maintained at much less expense on the English than on the Scottish Border.[1] Invasion, however, from this motive was not necessarily one-sided. Baillie tells us that at a meeting of the principal nobles and clergy, at which he himself was present, it was generally agreed, till Warriston, and Warriston alone, showed the impracticability of such a course, that the Scots should enter England as mediators, or at all events, "without siding altogether with the Parliament."[2] This reluctance to make common cause with the English Puritans was due mainly to the fact that many of them were known to have little more love for presbyters than they had for bishops. In the proclamation, to which Argyll replied by publishing the Antrim disclosures, Charles had denounced the rebels as "in truth Brownists and Anabaptists and other independent sectaries," and had declared that, whatever fondness they might pretend for the ecclesiastical system of Scotland, they "are as far from allowing the church-government by law established there (or indeed any church-government whatsoever) as they are from consenting to the episcopal."[3] This warning was probably not altogether thrown away on the Scots, amongst whom

[1] Burnet, pp. 301-302. [2] Baillie, ii. 90.

[3] Burnet, p. 287.

a sort of Brownism imported from Ireland had caused a great commotion in 1640, and had continued during the three intervening years to give a good deal of trouble. Henry Guthrie, minister of Stirling, had been the chief opponent of this innovation; and when Guthrie's opinion was asked in the Assembly, after the papers presented by the Commissioners had been read, he said he could not see how Scottish Churchmen, who held Presbytery to be *juris divini*, could join hands with the Parliament, so long as the latter, whilst professing their resolve to extirpate prelacy, gave so little indication of what they meant to put in its place.[1] The Commissioners, indeed, were so sensible of this difficulty that they pressed for a civil, whilst the Scots insisted on a religious, league.[2]

The Scots, on this point at least, were not likely to give way; and on August 17 a draft of the Solemn League and Covenant, drawn up by Henderson and amended by Vane, was accepted first by the Assembly and then by the Convention. The principal feature of this document was the oath taken by subscribers to endeavour "the preservation of the true Protestant reformed religion in the Church of Scotland in doctrine, worship, discipline, and government, according to the Word of God, and the reformation of religion in the Church of England according to the same Holy Word and the example of the best reformed Churches, and as may bring the Churches of God in both nations to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship and catechising."[3] Vane's amendments consisted of the two phrases "according to the Word of God" and

[1] Guthrie, p. 118. [2] Baillie, ii. 90.

[3] *Act. Parl.* vi. 42.

"the same Holy Word."[1] In the Covenant as approved by the English Parliament, after it had been revised by the Westminster Assembly, the first of these phrases was omitted in relation to the Scottish Church and retained in relation to the English to do duty for the second; and the bond was extended so as to include Ireland as well as England.[2] On October 13, the day after it had come back in this form to Edinburgh, the Solemn League and Covenant was sworn by the English Commissioners —such of them as still remained—and by the Commissioners both of the Assembly and of the Estates. The swearing was doubtless the more hearty because it was now known that Charles had made good in practice all but the worst disclosures of the Antrim plot. He had not, indeed, fulfilled the intention attributed to him of bringing over Irish troops, but the Marquis of Ormonde in his name had concluded a truce or cessation for twelve months with the rebels under the euphonious title of "His Majesty's Roman Catholic subjects now in arms," one article of which provided that, if any forces in Ireland should oppose the cessation—and none were likely to do so but the Scots—these were to be pursued without hindrance by the Irish army, and if Charles's permission could be obtained, by the English as well.[3] The guardians of Scottish Presbytery, however, had no idea of relying solely on this danger to ensure the acceptance of their bond. On October 22 the Committee of Estates passed an ordinance for enforcing the Covenant; and the

[1] These words were, of course, a concession to the Independents; but it is more probable that Henderson yielded reluctantly to the saving clause, knowing the use that might be made of it, than that he was outwitted by Vane.

[2] Burnet, p. 307; Gardiner's *Civil War*, i. 270-271.

[3] Baillie, ii. 103; Gardiner's *Civil War*, i. 264.

Commissioners of Assembly issued stringent orders to this end. On the first Sunday after it had been received at any church, the Covenant was to be read from the pulpit, with a few words of preface threatening recusants with excommunication and confiscation of goods; and on the Sunday following, having first been publicly sworn by both men and women, it was to be subscribed by all males who could write, and for all who could not by the Clerk of Session. The Covenant of 1643 was vastly less popular than that of 1638; and Baillie, a month later, attributes it to "God's great mercy" that all he had yet heard of had taken the oath—so many were there "who bitterly spoke against our way everywhere, and none more than some of our friends."[1]

In so far as it can be called a defensive bond—and doubtless very many of the laity accepted it as such—the Solemn League and Covenant was due, not so much to Charles's intrigues with the Irish Catholics, which were discovered too late to determine the current of events, as to the conviction that he could not be trusted to abide by the consequences of his defeat in Scotland, if he should now prove victorious in England. We have seen how he had tried to delude the Scots by a mock surrender of Episcopacy in 1639, how both the religious and the political settlement had been wrung from him by force, and how on the strength of these concessions he had attempted to play off the Scots against the English Puritans. Hamilton, on his arrival at Edinburgh a few weeks before the outbreak of the war in England, was alarmed to find how widespread was the distrust of the King; and Burnet professes to have been often told in later days by some of the principal actors in these events that they would never have

[1] Baillie, ii. 102.

renewed the war, if the original quarrel had not been kept alive by "an after-game of jealousies and fears."[1] As conceived by its promoters, however, the Solemn League and Covenant was not a defensive but a most wantonly aggressive measure, the very seal and symbol of a Presbyterian crusade. It was a bond for the extirpation of Anglican Episcopacy and of Irish Popery, and for the establishment throughout the three kingdoms of an ecclesiastical system as nearly Presbyterian as the Independents would allow it to be. Such a scheme for the expansion of the Church of Scotland was no more justifiable and far more impracticable than Laud's scheme for the expansion of the Church of England; and the moderate party, which had become discredited through its compliance with that project, was at last to recover its ascendency in opposition to this. Instead of the union of three churches, the Solemn League and Covenant effected only the disunion of one; and the spirit of discord, defeated but not vanquished by the general repudiation of its obnoxious symbol, was to take shape anew in the protean forms of modern dissent.

[1] Burnet, pp. 250, 303.

CHAPTER XV.

THE ROYALIST REACTION, 1644-1648.

Of several successive revolts against the Solemn League and Covenant, the first, as may easily be supposed, was the purely Royalist movement which Montrose had long been eager to set on foot. In September, 1643, that irrepressible cavalier had been disappointed in another application for authority to use force, though he had been able to assure the King that the Covenanters had offered to place him second in command of the army with which they proposed to invade England. A few weeks later, however, a despatch was received at Court from Hamilton, in which he took credit to himself for having fulfilled his promise to keep the Scots at home during the summer, excused his inability to do more, and advised "that present preparation be made for the worst."[1] Charles could not resist the chorus of execration with which this message was greeted at Oxford. When Hamilton and his brother arrived there on December 16, they were placed under restraint; and on the first of February, 1644, twelve days after the Scottish army under Leven had crossed the ice-bound Tweed, Montrose

[1] Burnet, pp. 318-319.

was appointed Lieutenant-General of the forces in Scotland, under the King's nephew, Prince Maurice.[1]

His worst enemy could hardly have wished him a more hopeless task. The Covenanters had 20,000 men in the north of England, besides about a third of that number in Ireland; they held all the fortresses; and the gentry and townspeople of the Lowlands, especially in Fife and the west, were with them almost to a man. Most of the nobles, indeed, were at least potentially loyal; and had they found a leader such as Maitland, of true political genius and of less than noble rank, they might have rallied to Charles's standard as in earlier days they had rallied to that of Mary Stewart. But the power of the aristocracy had been greatly reduced through the commutation of tithes, as well as through what Guthrie calls "the giddiness of the times"; and whatever talent for intrigue had been at work amongst them had been unfavourable to the King. Hamilton had infected many of the lords with his own cautious, half-hearted, and time-serving spirit;[2] Argyll had won over Royalists such as Southesk and Seaforth, and confirmed in their allegiance to the Covenant such waverers as the Earl of Callander, Lords Montgomery and Sinclair. The nobles were almost all jealous of Montrose; and most of them regarded him as a young man of unbounded ambition, whose actual achievements were represented by some respectable campaigning for the Covenant and some very poor plotting for the King.

[1] Huntly retained his Lieutenancy north of the Grampians.

[2] The contrast between Hamilton and Montrose cannot be better expressed than in these words of a great novelist:—"O half heart! A whole one, though it be an erring . . . does at least live, and has a history, and makes music; but the faint and uncertain is jarred in action, jarred in memory, ever behind the day and in the shadow of it."—George Meredith: *Beauchamp's Career*.

It was not intended, however, that the Royalist campaign in Scotland should be wholly dependent on local support. Arms, and if possible, some Danish cavalry, were to be imported from abroad; the Earl of Antrim, as he had promised but failed to do in 1639, was to land with 10,000 men on the Argyllshire coast, and Montrose himself, with assistance from the Marquis of Newcastle's army, was to advance to meet him from the south. Montrose soon found that his own personal share in this scheme was the only part of it that was at all likely to be carried out. Newcastle, who was facing the Scots at Durham with an inferior force, could spare him only two field-pieces and 100 half-starved horse; and though the Northumberland and Cumberland militia had orders to join him, and did so, on his way to Dumfries, these troops speedily mutinied and went home. At Dumfries he could hear nothing of Antrim, though it was now the middle of April and the Earl had promised to be in Scotland by the first of the month; the Border nobles refused to join him, except two, who did nothing but thwart his plans; and in a few days, hearing that the Earl of Callander was raising a new army against him, he was forced to retreat to Carlisle. On this side of the Border he continued to hold Callander in check for two months, during which, after a severe struggle, he wrested from the Covenanters their new acquisition of Morpeth Castle. On July 3, the day after the battle of Marston Moor, he joined Prince Rupert at York; and Rupert finally extinguished the "northern expedition" by taking from its leader whatever forces he had.[1]

But Montrose's resolution did not desert him with his troops. Leaving Carlisle on August 18, disguised

[1] Wishart's *Memoirs of Montrose*, caps. iii. and iv.; Napier's *Memoirs*, ii. 389-411.

as a groom, he made his way to the house of a relation near Perth; and here he was fortunate enough to fall in with some 1,200 Irish under Macdonald of Colonsay—most of them the descendants of expatriated Scottish Islesmen—the survivors of 1,600 men, whom Antrim, as an apology for the promised 10,000, had at last sent over. In a few days his force had swelled to 3,000 men; and with these he inaugurated an *annus mirabilis* in Scottish history by entirely defeating the Covenanters, three miles from Perth, at Tippermuir. In the war that followed, waged anywhere from the Moray Firth to the Forth, from Inveraray to Dundee, he out-manœuvred his enemies by the almost fabulous rapidity of his movements even more than he out-fought them by his consummate skill as a commander in the field;[1] and after the battle of Kilsyth in August, 1645, the last and greatest of six successive victories, the Covenant, as a military power in Scotland, had ceased to exist.[2] Leven's army, however, had still to be reckoned with; for, anxious as he had been to relieve the pressure on the King, Montrose had not succeeded in compelling more than a portion of this force to return home. His own troops, too, rapidly dwindled owing to the eagerness of the Highlanders to secure their booty and to some offence taken by Huntly's son, the Earl of Aboyne. It was thus only a remnant of the hitherto invincible host that

[1] "On the battle-field Montrose had all Cromwell's promptness of seizing the chances of the strife, together with a versatility in varying his tactics according to the varying resources of the enemy, to which Cromwell could lay no claim, whilst his skill as a strategist was certainly superior to that of his English contemporary."—Gardiner's *Civil War*, ii. 331.

[2] Montrose was now advanced to the office of Lieutenant-Governor and Captain-General, previously held in name at least by Prince Maurice.

David Leslie surprised at Philiphaugh in the thick mist of a September morning; and on that fatal field, after he had twice charged against overwhelming odds with only 150 horse, the power of the Great Marquis[1] was completely overthrown.

With the exception of the battle of Glenlivat in 1594, this was the first conflict, of importance enough to be called a civil war, that had taken place in Scotland since the surrender of Edinburgh Castle in 1573; and much as the clergy had done to embitter the strife then, they were equally zealous and far more powerful now. With a view to the propagation of Presbyterianism in England, they had plunged the country into a new struggle with the King; and the war being a holy war, or, as one of them expressed it in a sermon to Parliament, a contest between King Jesus and King Charles,[2] whoever took up arms for the Crown was in their estimation an enemy of the Church. Montrose, on this principle, was placed under the lesser excommunication as soon as it was known that he had occupied Dumfries; and the same penalty was inflicted on Huntly, who was then attempting a rising in the north. On June 3, 1644, the General Assembly required the ministers and elders of every parish to summon before the presbytery all persons suspected of being ill-disposed to the Covenant or the Solemn League and Covenant. On the same day it petitioned the Estates that persons found guilty of the late revolt should be "exemplarily punished"; and this petition, supported in Parliament by Johnston of Warriston in name of the barons, resulted a few weeks later in the execution of three Royalists—Gordon of Haddo and Captain

[1] Montrose was made a Marquis in May, 1644. [2] Guthrie, p. 136.

Logie for having assisted Huntly and Maxwell of Logan for having assisted Montrose.[1]

If even the first Royalist revolt, feeble and unexceptionable as it was, could not be expiated without blood, we may judge how little the repetition of such cruelty can be ascribed to the excesses which were inseparable from the second. The wild clansmen, who followed the banner of Montrose, could expect no quarter, and they gave none. At Tippermuir 2,000 Covenanters are said to have perished in the pursuit, and nearly 6,000 at Kilsyth. The Irish, or so-called Irish, were regarded with special abhorrence as having been concerned in the carnage of the Catholic rebellion; and even a Royalist writer says that they killed men with as little compunction as they killed a hen or a capon for their supper.[2] So far, indeed, as it could be controlled by the King's General, the war, with one exception, was conducted in a very merciful spirit. When prisoners of note fell into his hands, Montrose invariably dismissed them on their parole; at Tippermuir he refused to allow the guns he had captured to be turned on the flying foe; and Lauderdale, then a zealous Covenanter, whilst taxing him with needless slaughter, acquitted him "of any but what was done in the field." It is true that after the capture of Aberdeen he gratified his brutal Irish by giving them the plunder of the town; but here he was exasperated by the shooting of his drummer under a flag of truce, and the magistrates had neglected to avail themselves of his permission to remove their "old persons, women, and children."[3]

Whatever may have been the barbarities committed by

[1] Peterkin's *Records*, p. 398; Balfour, iii. 177; Guthrie, p. 139.

[2] Patrick Gordon: *Britane's Distemper*, p. 161.

[3] Napier's *Memoirs of Montrose*, ii. 432, 452, 581.

the King's troops, they were fully and most horribly avenged. At Philiphaugh there was a general massacre, not only of the Irish infantry, but of all the women and children in the royal camp, "with such savage and inhuman cruelty," writes Gordon, "as neither Turk nor Scythian was ever heard to have done the like." Fifty of the soldiers were, indeed, admitted to quarter; but, at the instance of the clergy, these were "murdered by the way at Linlithgow,"[1] and two of their officers were hanged at Edinburgh. Macdonald of Colonsay with some hundred of the Irish had deserted Montrose shortly before the battle in order to prosecute a feud with the Campbells in the Western Isles; and this feud resulted, nearly two years later, in a repetition of the Linlithgow butchery, but on a much larger scale. In May, 1647, on the approach of David Leslie and Argyll, Macdonald withdrew from Cantire to Islay, leaving 300 of his men to garrison Dunavertie, a waterless hill with some sort of castle on the top. Forty of the defenders were killed in the first assault, and the rest were soon driven by thirst to surrender at discretion. Sir James Turner, who was Leslie's Adjutant-General, exerted himself with his chief to procure mercy for the prisoners. He says that Leslie was unwilling to take their lives, that he promised more than once to spare them, but that, after two days, he allowed himself to be overruled by a

[1] *Britane's Distemper*, p. 160. The late Professor Mitchell thought he had disposed of the Linlithgow massacre by showing that Sir James Halkett, coming straight from the battlefield to the English Commissioners at Berwick, reported that all the Irish had been put to the sword.—*Assembly Commission Records*, Scot. Hist. Soc., i. xx. This, however, proves only that Halkett was not careful of his words; for we shall find that Parliament in the December following ordered the execution of "the Irish prisoners taken at and after Philiphaugh." Doubtless some individuals survived even the second massacre, not to mention those who escaped from the field.

minister named Nevoy, who "never ceased to tempt him to that bloodshed, yea, and threatened him with the curses [that] befell Saul for sparing the Amalakites." This "bloody preacher," as Guthrie calls him, who caused 259 defenceless men to be butchered in cold blood, had been assigned to Leslie as his chaplain by the Commissioners of the Assembly; and monster as he was, Leslie had only too much reason, in these unhappy days, to regard him "as the representative of the Kirk of Scotland."[1]

The military officers of the Covenant were ready enough to give the clergy their fill of Irish blood, provided it could be done without breach of faith; but there was little desire amongst the laity to deal thus summarily with the gallant Royalists, who, after charging with Montrose at Philiphaugh, had failed to make good their escape. Towards the end of October, 1645, at the urgent solicitation of the Commissioners of the Church, Sir William Rollock, Sir Philip Nisbet, and Alexander Ogilvie of Innerquharity were executed at Glasgow—the last of the three being a boy of eighteen. Dickson, then Professor of Theology in the Glasgow College, is reported on this occasion to have said, "The work goes bonnily on";[2] but in point of fact the work made no further progress till the Parliament, which met at St. Andrews on November 26, had been seven weeks in session. In his opening sermon from the 101st Psalm Robert Blair commended that pious resolution of

[1] Turner's *Memoirs*, pp. 45-47; Guthrie, p. 199. Napier, with Turner's *Memoirs* before him, coolly adopts Guthrie's statement that quarter was promised to the prisoners. There was no such promise, and in this respect the massacre of Dunavertie was less infamous than that of Linlithgow. One of the prisoners, and one only, was spared at Turner's intercession.

[2] Guthrie, p. 166.

King David—"I will utterly destroy all the wicked of the land"; and Warriston in a long speech exhorted the Estates "to do justice on delinquents and malignants, showing that their delaying formerly had provoked God's two great servants against them, the sword and plague of pestilence."[1] On December 5 the Commissioners of the Church presented a petition "against mercy to the Noblemen and Gentlemen captured at Philiphaugh," backed by similar petitions from the Synods of Merse and Teviotdale, Dumfries, Galloway, and Fife. On January 2, 1646, the House expressed its gratitude to the Commissioners, and "for their satisfaction in so just and pious desires" assured them of its "faithful and best endeavours for executing justice upon delinquents."[2] The first draft of this reply had been read on December 26; and on the 23rd the Parliament had ordered that all Irish captives still detained in various prisons should be executed without trial.[3] Not long afterwards the clerical thirst for blood was suffered to gratify, though not to glut itself, in more valuable lives. On January 20, after "a kind of fast and . . . two sermons in the morning,"[4] Colonel Nathaniel Gordon, Sir Robert Spottiswoode, second son of the late Primate, and Captain Guthrie, son of the late Bishop of Moray, were all executed at St. Andrews; and two days later, a youth of nineteen, William Murray, brother of the Earl of Tullibardine, was also executed. Sir Robert Spottiswoode, formerly President of the Court of Session, had never been in arms; but he

[1] Balfour, iii. 307, 311.

[2] See the petitions and the reply as printed in *Memorials of Montrose*, ii. 245-252.

[3] Balfour, iii. 341.

[4] Letter of Lord Lanark to some person unknown: Burnet, p. 390.

was known to be a warm personal friend of Montrose, and the Covenanters had denounced him as an incendiary ever since the signing of the Covenant in 1638. His last words were a severe rebuke to the prevailing fanaticism—"The saddest judgment of God upon people at this time was that the Lord had sent out a lying spirit in the mouths of the prophets, and that their ministers that should lead them to heaven were leading them the high way to hell." [1]

After his defeat at Philiphaugh, Montrose tried in vain to arrive at some understanding with Huntly, the King's Lieutenant in the north, whose son, the Earl of Aboyne, had deserted him before the battle. Aboyne did, indeed, rejoin him with a considerable force; but Huntly wished in the first place to secure his own country which General Middleton had invaded with 800 horse, whilst Montrose—not very wisely, since he could do nothing without the Gordons—insisted on marching south. On this point the Governor and the Lieutenant again fell out; and no cordial co-operation had been established between them when both received orders from the King to disband in June, 1646. After three letters had reached him to this effect, Montrose procured a private interview with Middleton, at which it was agreed that he, the Earl of Crawford, and Sir John Hurry should be suffered to go abroad, and that all the other Royalists, with one exception, should be restored to their lands. In spite of strenuous clerical opposition, the Committee of Estates ratified these very liberal terms; and on September 3, Montrose set sail for Norway, whence he went by way of Hamburg to Paris.[2]

[1] Row's *Blair*, pp. 179-180.

[2] Napier's *Memoirs of Montrose*, ii. 605-659.

The King's cause had been well-nigh desperate in England before it was ruined in Scotland. On June 14, 1645, three months before Philiphaugh, 7,000 of his best troops had been destroyed or captured by nearly double that number at Naseby ; after Astley's defeat at Stow-on-the-Wold in March, 1646, he had no longer an army in the field ; and in May, adhering to the policy he had pursued with so little success in 1641, he sought assistance, not protection, in the Scottish camp. The Scots were then besieging Newark, and contrary to his purpose of detaching them from their allies, he was forced to give up the town, not to them, but to the English Parliament. Montereul, the agent of Cardinal Mazarin, had long exerted himself to promote an understanding between the King and the Scots, subject to a condition which neither party was anxious to emphasise; and Montereul had so far succeeded that Charles had professed his readiness "to be instructed concerning the Presbyterian government," and the Scots had given a verbal promise, not only that they would press him "to do nothing contrary to his conscience," but "that if the Parliament refused, upon a message from the King,[1] to restore the King to his rights, they should declare for the King, and take all the King's friends into their protection." Charles fulfilled his part of the bargain, if bargain it was, by engaging in a disputation with Henderson ; but the Scots were so far from fulfilling theirs that they required him to establish Presbyterianism in England, and both to sign and to enforce the Covenant. In the Nineteen Propositions drawn up by the English Parliament in July these demands were combined with others entirely subversive of the royal power ; and when

[1] Mr. Gardiner conjectures that this message was probably the King's acceptance of Presbyterianism.—*Great Civil War*, ii. 476.

an evasive answer to these terms was received at Westminster, the Scottish Commissioners offered to withdraw their army on its expenses being paid, and to take counsel with the Parliament as to the disposal of the King.[1]

After the surrender of Newark, the Scots had retired northwards to Newcastle; and amongst those who came thither to pay their respects to the King was the Duke of Hamilton. In consequence of the charges preferred against him at Oxford, Hamilton had been detained a close prisoner till the Parliamentarians released him on taking Pendennis Castle in April of this year, whilst his brother, the Earl of Lanark, having escaped from Oxford soon after his arrest, had returned to Scotland and taken part with the Covenanters against Montrose.[2] Charles and his former favourite were easily reconciled; but though Hamilton plied him with every argument in his power, he could not induce the King to accept the Propositions, or to grant the purely religious concessions which would have gained for him the support of the Scots. Charles, in fact, was determined not to give up Episcopacy, regarding it as a divine institution to the defence of which he was pledged by his coronation oath; but it was unfortunate that he did not announce his decision in less equivocal terms. In his dealings with the Scots through Montereul he had never flatly refused to establish Presbyterianism in England, nor did he do so now. On the contrary, in June[3] he offered to accept the Scottish discipline and to put down its enemies,

[1] Gardiner's *Great Civil War*, ii. 455-478, 506, 518.

[2] In the Parliament at St. Andrews he was one of the committee which had charge of the proceedings against the Royalists.

[3] For the date, which Burnet gives as September, see Gardiner, ii. 488, note, and Masson's *Milton*, iii. 500.

provided that bishops should be retained in the sees of Oxford, Winchester, Bath and Wells, Exeter, and Bristol, till he should be satisfied in conscience as to the justice of their removal—a contingency which he represented as far more probable than "any hope of converting or silencing the Independent party." Hamilton, having gone down to Scotland to make the most of this or some such concession, was sent back with several other Commissioners as an advocate of the Propositions. Charles repeatedly desired this deputation to take note that he did not give them a denial; and soon afterwards he made another attempt at compromise, the substance of which was that Presbytery should be established for three years, and that the permanent constitution of the Church should be settled by King and Parliament in consultation with sixty divines consisting in equal numbers of Presbyterians, Independents, and royal nominees. The Scottish Commissioners in London rejected this scheme, though Charles offered to prolong the Presbyterian experiment from three years to five; and Lanark reported that it was entirely repudiated in Scotland, when Charles in December sent it there.[1]

Meanwhile the Scots had agreed to withdraw their army on receipt of 200,000*l.* out of a stipulated 400,000*l.*; and on December 16 the first instalment was paid. On that day, under Hamilton's influence, the Convention of Estates resolved to press the King's "coming to London with honour, safety, and freedom," and to defend monarchical government in his person. The Commission of the Church, however, issued "A Solemn and Seasonable Warning" against this decision as a defection from the Covenant; and on the 18th, in

[1] Burnet, pp. 359-387; Gardiner, ii. 555.

the residue of a day devoted to fasting and sermons, the Argyll party carried a resolution that Charles should be required to accept the Propositions, and that, unless he did so, Scotland could neither assist nor receive him, even though he should be deposed. As soon as they were known at Newcastle, the officers of the army anticipated the King's refusal of these rigorous terms by an offer to stand by him in defiance of both Parliaments, if he would promise to establish Presbyterianism in England; and Charles, having rejected this overture, could not fail, when it was brought to him in January, 1647, to reject the other. On January 16, the day on which his answer was received at Edinburgh, the Estates voted that the King should be given up to the English Parliament. On the 30th the Scots evacuated Newcastle; and by February 11 the whole army, with its 200,000*l.*, had re-crossed the Tweed.[1]

The withdrawal of the Scots upset the balance, which they alone had maintained, between the slight predominance of Presbyterianism at Westminster and its extreme weakness in the camp. The New Model army, which under Fairfax and Cromwell had routed the Royalists at Naseby, was strongly Independent and sectarian in temper. The Presbyterians could not propose to disband this national force so long as the Scots remained in England, nor could they count with certainty on being able to disband it, when the Scots had gone, whilst at the same time, with London at one with them in religion and an over-taxed country clamouring for relief, they were not likely to shrink from a conflict between the civil and the military power. With considerable caution,

[1] Burnet, pp. 389-397; *Assembly Commission Records*, i. 148; Gardiner, ii. 575-578.

indeed, in the spring of 1647 the Commons voted that all but 400 of the cavalry should be permanently retained, and that the greater part of the infantry should be allowed to re-enlist for service in Ireland; but the prudence of this concession was entirely annulled by the refusal of the House to consider the grievances of the soldiers, substantial as many of these were, and especially by its decision to grant them no more than six weeks' pay, though the wages of the infantry were eight weeks, and those of the cavalry forty-three weeks, in arrear. The soldiers of no religion were thus induced to make common cause with their comrades, who in defiance of Presbyterianism wished to have a religion, or rather religions, of their own. In April the army organised itself for resistance under a committee of Agents or Agitators; and in June, on a well-founded suspicion that the Presbyterians meant to provoke a new war by sending him to Scotland, a force was despatched under Cromwell's orders to secure the King. The army then proceeded to purge the Commons by insisting on the expulsion of eleven members; and a few weeks later, there was an extraordinary commotion in the City, when it became known in that Presbyterian stronghold that Parliament had resumed control of the London militia, and had condemned a "solemn engagement" of the citizens to maintain the Covenant and to procure the King's restoration on the basis of his offer to establish Presbytery for three years. On July 26, at the bidding of a furious mob, and after a scene of violence and confusion which lasted for six hours, the two resolutions in both Houses were repealed. In consequence of this tumult nine Peers and fifty-eight Commoners—not all Independents—fled

to the camp at Hounslow. On August 6 the army escorted them back in triumph; and thus Fairfax and Cromwell, under cover of vindicating the authority of Parliament, were able finally to extinguish its power.[1]

The effect of this military and sectarian revolt was to lower the pretensions of the Presbyterians, already somewhat shaken by the inflexibility of the King, and to throw the party once more into the arms of the Scots. In January, whilst Charles was still at Newcastle, the leading Presbyterian Peers had offered to dispense with his taking the Covenant, if he would make good his promise to establish Presbytery for three years, and would leave the militia to Parliament for ten; and in May, after the army had refused to disband, Charles's assent to this proposal was accepted, as a basis of settlement, both by the Presbyterian majority in Parliament and by the Scottish Commissioners then in London. The abduction of the King in June was condemned by the Commissioners in a vigorous protest; and so general was the indignation aroused by this proceeding in Scotland that even the Argyll party made an offer, which Charles declined, to rescue him by force.[2] Charles, indeed, did not want assistance on such conditions as Argyll was likely to exact, especially as he knew that the Independents were prepared to offer him terms, which, though little better politically than the Propositions, were much easier in point of religion. On July 27, four days after he had received *The Heads of the Proposals* with their tacit allowance of a non-exclusive Episcopacy,[3] we find him writing to Lord Lanark,

[1] Gardiner, iii. 29-176; Masson's *Milton*, iii. 549-554.

[2] Gardiner, iii. 26, 70, 98, 124.

[3] One of the breaches of the Covenant afterwards alleged against England by the Scottish Parliament was that Episcopacy was "hinted at" in these Proposals.—*Act. Parl.* vi. ii. 23.

"Whatsoever you resolve on, you must not think to mention (as to England) either covenant or presbyterial government";[1] and the Hamiltons, at his desire, were now exerting themselves to postpone intervention till it could be prosecuted on more reasonable grounds. In England as in Scotland Charles's main object was to gain time, in the hope that the popular desire for his restoration would eventually compel one or other of the rival factions to support him on his own terms. Thus he rejected *The Heads of the Proposals* till the Propositions were revived in the beginning of September, when, as the less objectionable of the two schemes, he offered to consider them anew. By such tactics, likely enough to stir up a new civil war, he so exasperated the republicans of the army, known as Levellers, that they openly demanded his blood; and as Hampton Court, his present residence, was only six miles from the army head-quarters at Putney, he now listened favourably to the Scottish Commissioners, when they urged him to attempt to escape. On November 11, though the guards had been strengthened in consequence of his refusal to renew his parole, he contrived to get away unobserved; and on the 13th he took refuge in the Isle of Wight, where he was lodged by the Governor in Carisbrooke Castle.

From Carisbrooke Charles made some fresh overtures with a view to his being admitted to a personal treaty in London; but the two Houses resolved that he should be required in the first place to accept four of the Nineteen Propositions, afterwards converted into Bills, by which he was to surrender the militia for twenty years, to annul his declarations against the Parliament, as well as all peerages conferred since the beginning of the war, and

[1] Burnet, pp. 404, 407.

to allow the Houses to adjourn when and where they pleased. The Scottish Commissioners insisted that Charles should be allowed to come to London without any preliminary conditions; and as the Four Bills contained no reference to religion, and had been passed without their official knowledge or consent, they presented a long and vehement remonstrance, in which the Parliament was accused of violating its obligations to Scotland, of subordinating things spiritual to things civil, of betraying the Covenant, and of permitting "a general and vast toleration."[1] On the day after the Four Bills were presented at Carisbrooke, the Scottish Commissioners gave in a protest against them; and this protest was endorsed by the King in the written refusal with which he dismissed the Commissioners of the Parliament on December 28. The Commons immediately voted that no more addresses should be made to the King, and that the powers granted to the Committee of Both Kingdoms should be vested in its English members alone.

The alliance between the King and the Scots, the existence of which was implied in these two resolutions, had been carried very much further than the Commons were aware. Whilst the deputation from Westminster was awaiting his answer to the Four Bills, Charles had come to an arrangement with the Scottish Commissioners, which must have encouraged him to refuse these rigorous terms. He had agreed, not indeed to enforce or even to sign the Covenant, but to confirm it by Act of Parliament, to put down all heresy and schism, to abide by his former offer to establish Presbytery for three years, and in the final settlement of the Church to consult the Assembly of Divines, assisted by twenty

[1] Masson's *Milton*, iii. 580-581.

members chosen by himself.[1] On these terms, if the Houses would not agree to a general disbandment and a personal treaty with the King in London, the Scots were to invade England in support of a declaration asserting the right of the Crown to control the militia, to dispose of offices and honours, and to have a negative voice in Parliament. This secret treaty, known as the Engagement, was signed by Charles on December 26, and by the Commissioners—Loudoun, Lauderdale, and Lanark—for themselves personally, on the following day.[2]

The Estates were represented at Carisbrooke, but not the Church; and the importance of the Engagement lies in the fact that it gave rise to the first pitched battle that had been fought in Scotland for fifty-two years between the civil and the ecclesiastical power. In the course of a semi-religious war the civil authorities had been so little jealous of the influence of the clergy, which for the time being was their best support, that a conflict of jurisdictions could not be long delayed. The Assembly of 1646, following the precedent of 1572,[3] ordained that all who had been in arms with Montrose, who had had dealings with him, or who had drunk his health, should be excluded from the communion till they had made public confession of their sins. In the same year the Commissioners of the Church required all ministers to read from the pulpit a declaration of their own, as well as a proclamation of the Estates, against a loyal bond, to which Montrose was then soliciting signa-

[1] Burton (vi. 409) has thus no ground for saying that Charles "engaged to be the Covenanted monarch of a Presbyterian people." On the contrary, he took the Commissioners "to witness that he did not bind himself in any way to forward the Presbyterian government in England."—Gardiner, iii. 275.

[2] Gardiner, iii. 272-275.

[3] See vol. i. p. 186.

tures in the north. It was to no purpose, indeed, that these Commissioners protested against the terms granted in July to Montrose; but a promise is said to have been given that in all future treaties with the common enemy they should be consulted as to the lawfulness of the conditions, and their "Solemn and Seasonable Warning" sufficed, as we have seen, to make the Parliament desist from its purpose of assisting the King. Such extreme pretensions, however, excited considerable opposition within the Church itself. It will be remembered that in 1642, when the new theocracy first asserted itself, several presbyteries refused to read the declaration of the Commissioners against the "cross petition." The Assembly of 1646, in a list of "Enormities and Corruptions observed to be in the Ministry," included "silence in the public cause." From this paper it appears that some ministers refused to make political harangues from the pulpit, even during the public fasts, that some who did so were inclined to justify the wicked cause, or at all events to disparage those who were most active in the good, and that some who read the orders transmitted to them from headquarters were "ready to speak against them in their private conference." Bishop Guthrie mentions in his Memoirs that several of the Commissioners for the Church were opposed to the issue of the "Solemn and Seasonable Warning"; and amongst the dissentients we find two ministers of Edinburgh, and the ministers of Leith, Linlithgow, and Stirling.[1]

Such were the relations of Church and State in Scotland when the Commissioners returned from the Isle of Wight in February, 1648. The Earls of Loudoun and Lauderdale gave a full account of the

[1] Peterkin's *Records*, pp. 446, 448; Guthrie, pp. 174, 195; Burnet, p. 378. The minister of Stirling was Guthrie himself.

King's concessions—without mentioning at all what they had conceded to him—first to the Committee of Estates, and then to the Commission of the Church. The Commission immediately proposed that there should be "an extraordinary humiliation for seeking counsel and direction from God"; and the Committee of Estates, putting an unfavourable construction on this overture, though they professed to be "heartily content," appointed a sub-committee to confer with the Churchmen, which, however, was so far from satisfying the scruples of the latter, that they condemned the concessions as insufficient, and drew up a declaration against them. This conclusion was opposed by most of the lay members of the Commission, and by some at least of the clergy.[1] One minister, who had never before taken his seat in the Commission, appeared there now to protest against the declaration; and his presbytery emphatically endorsed his action by electing him as one of its representatives to the forthcoming Assembly on the very day on which it received a complaint against him from the Commissioners of the Church.[2] Another minister, William Colville, one of those who had opposed the surrender of the King in December, 1646, declared boldly that Charles ought to be restored at once, "notwithstanding of all he had done, without any condition either of Covenant, Religion, or Propositions."[3]

[1] *Assembly Commission Records*, i. 355-373. Montereul's statement—*Montereul Correspondence*, Scot. Hist. Soc., ii. 420—that only four laymen voted for the declaration is no doubt short of the truth. See Professor Mitchell's note in *Assembly Commission Records*, i. xxxiv.

[2] The minister in question was Samuel Douglas, Moderator of the Presbytery of Duns.—Baillie, iii. 35.

[3] Baillie, iii. 55.

Meanwhile, Parliament had met on March 2; and in Parliament the King's friends had a majority of fully two-thirds, including all but eight or nine of the nobles, more than half of the gentry, and nearly half of the burgesses, amongst these being the representatives of almost all the principal towns—Edinburgh, Linlithgow, St. Andrews, Perth, Dundee, and Aberdeen.[1] The devotion of the nobles to the Solemn League and Covenant had never been very deep; but the revolt of the gentry and burgesses is evidence of a real revulsion of public feeling, in explanation of which one need hardly refer to the tyrannical power of the zealots exercised through the Commission of the Church, to their persistent cry for blood, and especially to the complete collapse of their schemes for the establishment of Presbyterianism in England.

On March 9 the Commissioners of the Church submitted to Parliament a draft of their proposed declaration, and were requested in courteous terms not to issue it till it had been considered by the House. Next day, finding that 2,000 copies had been already printed, the Estates made another appeal for delay, which resulted only in the paper being withheld from publication till Monday the 13th, when the Commissioners, in Baillie's words, "let it go out," with orders that it should be read from the pulpit on the following Sunday. The times had been when the Parliament of Scotland would not have suffered itself to be thus defied; but the pro-

[1] Baillie, iii. 35. In the General Assembly of the following August an Act was passed that no commissions from burghs should be admitted but such as were approved by the ministry and session; and Baillie says that, though these burgh commissions were generally disliked, "all were for tolerating of them, for fear of offending the Burrows at this time."—iii. 55.

moters of the Engagement were less anxious to silence the clergy than "to engage them in the work," and moreover, their leader was the Duke of Hamilton, whose chief concern it always was to make as few enemies as he could. Thus on March 27, having tried in vain to get them modified in Committee, the Estates returned a conciliatory answer to eight clerical demands. They pledged themselves to satisfy the most scrupulous as to the lawfulness and necessity of the Engagement, to seek reparation from England for its breaches of the Covenant, to do nothing offensive to the English Presbyterians, to employ none but the well-affected in council or camp, and to enjoin such an oath as should give satisfaction to the Church. To the rest of the paper the Estates yielded a more equivocal assent. They objected in point of form to a demand, which they professed to grant in substance, that malignants, if they rose in arms, should be suppressed as well as sectaries; they affirmed their readiness, provided an agreement was arrived at on the whole question, to declare the King's concessions to be not satisfactory; and lastly, in reference to the sixth demand, the most important of all, which provided for the establishment of Presbytery in England, they suggested that "some more smooth expression" might be found than that which required the King to pledge himself to this effect before his restitution. Both sides must have been well aware that no smoothness of expression could produce agreement on so vital a point; but the Commissioners of the Church were satisfied with none of the eight answers, and in plain terms rejected them all. On April 15, conceding one principal demand of the Church in order to refuse another, the Estates announced that, as they found the King's concessions were not satisfactory, they should

endeavour to bring him to London, where both kingdoms might apply to him for settling religion, and where, before agreement, they should insist on his granting what was now required. On the 18th the Commissioners presented a new petition, in which they went so far out of their proper sphere as to declare against the King's negative voice in Parliament. Two days later, without deigning to notice this offensive proposition, the Estates practically closed the controversy by telling the Churchmen, in effect, that Charles was not a free agent, and that they could not ask him to establish Presbyterianism in England till they had delivered him from those enemies of the Covenant, in whose hands he now was.[1]

So much time was wasted in these vain endeavours to secure the co-operation of the clergy that the business of the Engagement advanced but slowly—as Lanark expressed it to Charles, "in a most horrid dull pace."[2] On March 17, under colour of some danger in that quarter from "malignant sectaries," a committee was appointed to concert measures for seizing Berwick and Carlisle. The partisans of the Church showed their dissent from this measure by leaving the House in a body; but Hamilton soon persuaded them to return. On April 11 an Act was passed in which, after enumerating many breaches of faith on the part of the English Parliament and declaring that there was "not one article of the Solemn League and Covenant which hath not been sinfully and dangerously violated before God, angels, and men," the Estates resolved to make the following demands:

[1] *Act. Parl.* vi. pt. ii. 9-18, 28, 43-44; *Assembly Commission Records*, i. 387-390, 403, 420, 452, 477.

[2] Burnet, p. 433.

that Presbytery should be established in England and all heresies suppressed; that the King should be brought in honour, freedom, and safety to one of his houses in or near London; that the sectarian army should be disbanded; and that none but Covenanters should henceforth be employed as soldiers. On the 20th this Act was re-adopted as "a declaration of the Parliament of Scotland to his Majesty's good subjects"; and in this form, after the Estates had waited ten days for a petition which the Churchmen were preparing against it, on the motion of Lauderdale it was sent to the press.[1] The belated petition was immediately published by the Commissioners of the Church as a counter-manifesto. Soon afterwards, besides publishing another such pamphlet, they sent out a "Short Information," which they required the ministers to make known to their people; and the House then took the unusual course of addressing a letter to the presbyteries, in which, after reminding them that to impugn the authority of Parliament was a treasonable offence, it exhorted them to further the Engagement, as they had furthered former expeditions on behalf of the Covenant, with their preaching and prayers. Meanwhile, an Act had been passed for putting the kingdom "in a posture of war"; and on May 11, in order to allow of military preparations, the House adjourned to the first of June.[2]

To obstruct the levies now became the great object of the clergy; for they had just been foiled in an

[1] Baillie, iii. 46. The petition or "Representation" would seem to have been presented on the 29th, probably after the warrant for printing the Declaration had been issued on that day.

[2] *Act. Parl.* vi. pt. ii. 23, 40, 48, 86; *Assembly Commission Records*, i. 489, 520, 528.

unscrupulous attempt to win over the New Model army of some 6,000 men, which, chiefly through their influence as a terror to Royalists, had been formed out of the army of the Covenant on its return from Newcastle. During the month of April a petition to Parliament in favour of submission to the Church had been circulated privately amongst the officers, and had been signed by many, including the Earl of Leven and David Leslie. Middleton, however, held aloof, remarking that by such proceedings the Scottish New Model would incur the same odium as the English; but at last he offered to sign the paper, provided that a postscript was added affirming the readiness of the subscribers to obey the Parliament. "From that day," says Baillie, "we lost the army"; for the clergy were so disgusted with the emasculated petition that they persuaded their friends to throw it aside.[1] Nevertheless, many of the officers adhered to the Church: Leven, and eventually David Leslie, were won over, whilst in one regiment the colonel, the lieutenant-colonel, and all the captains resigned their commissions, and Sir James Turner, on taking over the command, had to suppress a meeting in the ranks.[2]

Owing to the hostile influence at work in most of the parishes, to raise a new army was an irksome, but by no means an impracticable, task. The resistance to the levy, strong enough in Fife, was strongest of all in Ayrshire and Clydesdale, which had been hotbeds of fanaticism ever since the revivals of Stewarton and Shotts. For the disobedience of Glasgow, however, which resulted in Turner's soldiers being billeted on the

[1] Baillie, iii. 45; Turner, p. 52; *Montereul Correspondence*, ii. 439, 455.

[2] Turner, p. 53.

most refractory of the townspeople, the Estates had only themselves to blame, since in 1646 they had deposed the magistrates and council, because, though highly popular with "the simple multitude," a complaint had been lodged against them by the Commissioners of the Church. The extruded councillors were now called upon to elect new magistrates, and with great alacrity they proceeded to reinstate the old.[1] In Edinburgh the opposition was confined to some late survivors of the "she-zealot" species, who assaulted the Provost, and threw stones at the Duke of Hamilton, when he went on foot to the House at its re-assembling on the first of June.[2] One Edinburgh minister, Andrew Ramsay, boldly advocated the Engagement, another, William Colville, declined to preach against it; and when the former was about to be censured by the Commissioners of the Church for a sermon in which he had warned them not to "usurp above their powers," he was escorted to his trial by "a promiscuous multitude," including not a few reclaimed Amazons who told the Commissioners that, "if they did any harm to their old minister, they knew the way to drive them out of Scotland, as they had done with the bishops a few years ago."[3]

Petitions were now presented to Parliament from several presbyteries and synods, craving that the levy might be delayed till the Church had given its consent; and in answer to these, the Estates reiterated their determination to uphold the Covenant, sarcastically

[1] Baillie, iii. 47; *Assembly Commission Records*, i. 112.

[2] Guthrie, p. 225.

[3] *Montereul Correspondence*, ii. 445; *Assembly Commission Records*, i. 427. Ramsay was not deposed on this occasion, as stated by Montereul. He was suspended by the next Assembly, and deposed by the next again.

observing that they did so "for the satisfaction of all such as are not satisfiable." On the same day, June 10, two important Acts were passed, one providing that members of the House and all other subjects should subscribe a declaration of their readiness to defend the lawfulness of the Parliament and to obey its laws, and the other "an Act for securing the persons and stipends of these ministers that concur with the present Levy," the reason of which was, as stated in the preamble, that some ministers were stirring up the people to oppose the authority of Parliament, and that the Commissioners of the Church had instructed the presbyteries to refer to the next Assembly any minister who should not declare against the Engagement, and to censure publicly any minister who should declare for it.[1]

The open opposition dreaded by Parliament was on the point of breaking out. On this Saturday evening, June 10, some of the Ayrshire gentry were discussing the possibilities of resistance at Riccarton, whilst armed zealots in sympathy with their design were flocking in large numbers to communion in the neighbouring church of Mauchline. Finding that the levies had made great progress in their midst, the gentry decided that a rising had no prospect of success. The country people, however, refused to disperse; and on the Monday morning, after the usual thanksgiving for the communion, they went out to Mauchline Moor—1,200 horse and 800 foot, including some 200 deserters from the army, and accompanied by seven ministers.[2] The insurgents were choosing leaders, when Middleton came suddenly upon them with five troops of horse.

[1] *Act. Parl.* vi. pt. ii. 106-107, 109.

[2] *Ibid.* p. 138. One of the seven ministers was John Nevoy, the "bloody preacher" of Dunavertie.

Through the intercession of the ministers a pardon on submission was easily obtained; but the deserters, who were excluded from the capitulation, and some also of the peasants, were anxious to fight; and the result was a somewhat severe skirmish, in which Middleton and Colonel Hurry were both slightly wounded. Middleton's troopers, however, were speedily reinforced; and "the slashing communicants," as Turner calls them, did not wait to try further conclusions in the field.[1]

A month later, on July 8, the army of the Engagement crossed the western Border with the Duke of Hamilton as General and the Earl of Callander as second in command. The invasion was precipitated at the last moment in consequence of the impatience excited amongst the English Royalists by its long delay. Insurrections had broken out in Wales, Kent, and Essex; and Sir Marmaduke Langdale, who, with the connivance of the Scottish Government, had seized Carlisle, was sending urgent appeals for help. Hamilton, indeed, marched in such haste that he left half his force to be sent after him as soon as it could be raised, as well as 3,000 veteran troops that were expected from Ireland. Of 30,000 men voted by Parliament, he had barely a third; he had little ammunition, too few horses to carry it, and not a single field gun; and his cavalry, though numerous and well equipped, was utterly untrained.[2] Unfortunate in his army, the Duke as its commander was even more unfortunate in himself. His

[1] Turner, pp. 55-57; Baillie, iii. 48-49. Stevenson's allusion to this affair is as follows: "Many of them (the Engagers) being very profane and dissolute, did abuse the country at Mauchline, set upon the people who were convened at a communion there, and killed and wounded several of them."—*History*, p. 608. This is too mendacious to be called even a perversion of the truth.

[2] Burnet, p. 450.

sole qualification for such a post was that he had led a disastrous expedition to the help of Gustavus Adolphus in 1632;[1] and in military matters he was at the mercy of his lieutenant, who was indeed a veteran soldier, having long commanded one of the three Scottish regiments in Holland,[2] but whose pretensions to generalship had still to be proved. Hamilton and Callander were not on good terms. In the early days of the Engagement they had bidden against each other for the support of the Church; and when that support was denied to both, policy rather than goodwill had induced them to unite.[3]

During Hamilton's absence his brother, the Earl of Lanark, was to have the chief command. Lanark had vainly urged in opposition to Lauderdale—for Hamilton, as usual, "saw great reason on both sides"—that before they invaded England they should establish their supremacy at home; and the proceedings of the General Assembly, which met at Edinburgh on July 12, must have confirmed him in that opinion.

The Commissioners appointed by the last Assembly had taken precautions that their opposition to Parliament should be approved by this. On June 5, as we have seen, they had passed an Act in the form of a recommendation to presbyteries that any minister who had not declared against the Engagement should be referred to the Assembly, and that, if any minister had declared for it, he should be immediately censured. When the Assembly met, it endorsed the principle

[1] Burton's statement that Hamilton commanded the British contingent at the battle of Leipzic has even less foundation in fact than his statement that Prince Rupert routed the forces opposed to him at Marston Moor. Hamilton was not present at Leipzic at all.

[2] There are many references to Callander as Sir James Livingstone and Lord Almond in *The Scots Brigade in Holland*, Scot. Hist. Soc., vol. i.

[3] Baillie, iii. 45.

of this Act by rejecting the returns made by the Presbyteries of Duns and Chirnside, because a partisan of the Engagement was included in each; and a visitation of "the most zealous brethren" was appointed to take order with these Presbyteries, and also with the Presbyteries of Stirling and Dunkeld. On July 18, in spite of a request by the Committee of Estates that their objections should first be heard, the proceedings of the late Commissioners, "and particularly their papers relating to the said Engagement," were unanimously approved. On the 28th the Assembly condemned the declaration appointed by Parliament to be subscribed in defence of its own Acts, and required all persons to abstain from subscribing it, "as they would not incur the wrath of God and the censures of the Kirk." On the 31st a manifesto was adopted of prodigious length, recalling how Andrew Melville and his friends had waged war on King, Parliament, and Council, "with the spiritual armour granted to them of God," and amongst other objections to the Engagement, denouncing the King's negative voice as inconsistent with the privileges of Parliament. On August 1, "against the minds of sundry," the Assembly took the very unpatriotic course of issuing a declaration "to their brethren of England," assuring them that "the well-affected, both ministers and people," were opposed to "so unlawful a war." On the 3rd an Act was passed "for censuring ministers for their silence, and not speaking to the corruptions of the time." The High Commission Court in former days, with one solitary exception, had never silenced deposed ministers, and many of the ministers it had deprived were suffered, for some time at least, to retain their livings; but this furious Assembly denounced excommunication against

any minister who, after deposition, should exercise any part of his calling, or should meddle with his stipend. The two loyalist ministers of Edinburgh, Ramsay and Colville, were both suspended; and it is satisfactory to know that Ramsay had opposed other proceedings of the Church than its declaration against the Engagement, and, in particular, its hideous demand for blood.[1]

Amidst all this clashing of spiritual armour, the clergy were well aware that their struggle for supremacy with the State must soon be decided by carnal weapons in quite another field; and some of them did not conceal their apprehension that, if Hamilton returned victorious from England, his first step would be to suppress the Commission of the Church as a judicatory not yet established by law.[2]

When the Assembly rose on August 12, Hamilton had reached Hornby in north Lancashire, whilst Lambert, the opposing General, having retreated before him, was now encamped at Leeds. On the following day Cromwell, who had been hurrying north during most of the time that Hamilton was wearily plodding south, effected a junction with Lambert; and on the 17th, cutting in between the Scots and home, he surprised the Royalist army as it lay widely distended in the neighbourhood of Preston. Langdale and the English auxiliaries were occupying the town; the infantry under Baillie, though still on the north bank of the Ribble, had received orders to cross; Middleton with most of the cavalry was foraging, sixteen miles south, at Wigan; and the 3,000 veterans from Ireland, under Sir George Monro, were at Kirkby-Lonsdale in Westmoreland, the reason being that Monro would take orders from none but the Duke, and Callander had therefore

[1] Peterkin's *Records*, pp. 495-517; Baillie, iii. 52-65. [2] Baillie, iii. 65.

insisted that he should receive an independent command. Hamilton's first impulse on hearing that Langdale was engaged with the enemy was to recall the infantry to his support; but Callander objected to infantry being employed without cavalry; and the consequence was that Baillie, with all but two brigades, crossed the Ribble, whilst Hamilton, with a few troops of horse, rode out to assist Langdale. Langdale's men fought heroically; but, after holding their ground for four hours, they were completely overpowered, despite the desperate exertions of Hamilton, who charged three times in person to cover their retreat. Cromwell followed up his success by seizing the bridge; and as Middleton had not yet appeared, it was decided at a council of war, to the disgust of Baillie and Turner, that the army should move off silently in the night. A few hours later, Middleton arrived by another road; and finding that Hamilton had set off to meet him on "that drumless march," he followed in good order to Wigan, engaging and beating back Cromwell's veteran cavalry in a running fight which continued almost the whole way. Leaving Wigan on the following night, in such confusion that several officers were wounded or ridden down by their own men, the Scots made for Warrington, hoping to put the Mersey between them and their pursuers; but the English overtook them, three miles from their destination, at Winwick; and there, "for many hours," a very stubborn action was fought, in which, according to Cromwell, they lost 1,000 killed and 2,000 prisoners.[1] The condition of Hamilton's army was now desperate. Knee-deep in

[1] Carlyle's *Cromwell*, Letter lxiv. It is strange that Turner does not mention this action, whilst Burnet alludes to it as taking place at Warrington, not at Winwick.

mud and almost without food, the infantry had been marching and fighting for thirty-six hours in a perfect deluge of rain. They had almost no ammunition—nearly all of it for want of horses having been left behind at Wigan, and none at all that was dry. More than half the men had fallen out of the ranks, and of the survivors, scarce half had retained their arms. At Warrington, on the 19th, Baillie received orders to surrender with what remained of his force, whereupon, we are told, that gallant officer "lost much of that patience of which naturally he was master, and beseeched any that would to shoot him through the head";[1] but, though he ventured to dispute the command, his worn-out soldiers compelled him to obey. Under the able conduct of Middleton, in spite of wind and rain, the cavalry struggled on for several days, hoping by a wide detour to make their way to Scotland; but Middleton, his horse having fallen under him, was taken prisoner; and at Uttoxeter the troopers mutinied and refused to go farther. There, on the 25th, Hamilton capitulated to General Lambert on assurance of good treatment for officers and men. Callander, the evil genius of the expedition, had ridden off on the previous day, after high words had passed between him and the Duke; and alone of all the officers he contrived to escape abroad.[2]

[1] Turner, p. 67.

[2] Turner, pp. 63-76; Burnet, pp. 451-462; Attestation in favour of Lieutenant-General Baillie in Robert Baillie's *Letters*, iii. 455; Gardiner, iii. 435-448. Burnet's narrative is that of Turner, to whom he applied for information, amplified and corrected from other sources. See his letters in the appendix to Turner's *Memoirs*. Burton reprints most of Langdale's narrative from *Remains Historical and Literary of Lancaster and Chester*, published by the Chetham Society. In his own account of the fighting at Preston he makes the mistake of placing Langdale "in advance," instead of in the rear.—vi. 415.

The Reformed Church of Scotland was established by the sword; but since the wars of the Reformation no campaign has affected it so profoundly as the campaign of Preston. In opposition to the Engagement, the party, which derived its principles from Melville and its inspiration from Knox, had put forth its whole strength against the State; and but for Hamilton's defeat, it would certainly have failed in 1648, as it had failed in 1596. On August 23, in complete ignorance of what was then happening in England, Baillie could write thus: "Our State has now found, which could scarcely have been believed, that, contrary to the utmost endeavours of the Church and all their friends, they can raise and maintain an army, and do what they will at home and abroad. The wisdom of some of us has made that practick to pass, and the mystery of our weakness to be divulged much sooner than needed."[1] But the dejection of the clergy gave place at once to fierce exultation, when it became known that Cromwell had not only destroyed the common enemy—to use his own expression—but was marching north to their support. A clerical triumph due to a temporary conjunction of Presbyterianism and Independency could not last long; but it lasted long enough to set Church over State, and to translate into grim reality the "devout imagination" of Knox. It was well that such a trial should be made, not because the experiment could be anything but deplorable in itself, but because the reaction it provoked has never ceased to influence the Church of Scotland from that day to this.

[1] *Letters*, iii. 51.

CHAPTER XVI.

THE THEOCRATIC EXPERIMENT, 1648-1651.

Cromwell's victory, decisive as it was, was far from placing the Government of Scotland at the mercy of the Church; for Sir George Monro's force at Kirkby-Lonsdale still remained intact, and a considerable reserve of cavalry had been raised at home. The first intimation of a disaster to the main army was brought to Monro's camp by a large number of fugitives, who reported that they had been sent out to assist Langdale, when Cromwell attacked him at Preston on the 17th, that Cromwell had driven in Langdale, and, following close on his heels, had cut them off from the town. After waiting a few days for further news and getting none that was reliable, Monro retreated slowly through Northumberland; and he had passed Morpeth before he learned for certain that Hamilton's army had been destroyed, and that Cromwell was marching against him with the greater part of his.

Meanwhile in Scotland the "slashing communicants" of Mauchline had again taken arms. As soon as Hamilton's defeat was known in Ayrshire, Lord Eglinton's tenants, under the command of his son,

Colonel Robert Montgomery, gave expression to their feelings by attacking and dispersing a troop of horse, which as security for their good behaviour had been quartered in their midst.[1] The ministers took advantage of this outbreak, which they doubtless had inspired, to stir up an insurrection through the whole south-west from the Solway Firth to the Firth of Clyde; some of them pointed triumphantly to the fact that August 17, the day on which Hamilton had suffered his first reverse, was also that on which the Solemn League and Covenant was first signed;[2] and by such arguments or worse whole parishes were persuaded to follow their pastors to the field. The political chiefs of the insurrection were the Earl of Loudoun, Chancellor, who had deserted the Engagement a few weeks after he had pledged himself to support it at the Isle of Wight,[3] the Earls of Eglinton and Cassillis, and the Marquis of Argyll. Saddened by the terrible news from England, and expecting almost daily to hear of Cromwell's approach, the Government at Edinburgh had no spirit to resist; and they would not listen to their General, Lanark —a man of much greater energy than his brother— when he besought them to secure Perth and Stirling, and with Monro's 3,000 veterans as a nucleus, to raise a new army in the north. They consented, indeed, for their own safety to recall Monro; but they sent him stringent orders that none of the English Royalists should be allowed to enter Scotland; and having resolved by a formal act not to prosecute the Engage-

[1] Guthrie, p. 236. [2] Burnet, p. 465.

[3] On April 18 Lanark had written to a friend in London: "The Chancellor hath entirely deserted us, and not only joined with them, but endeavours by all means imaginable to divide us among ourselves."

ment, they despatched Commissioners to treat with the insurgents, who had now reached Hamilton.[1] Undeterred by this overture, the insurgents continued their march; and when they entered Edinburgh on September 5,[2] thus accomplishing what was known there as the Whiggamore[3] Raid, they found that the Committe of Estates had fled before them to the Border, and that Leven, whom Hamilton had removed from his governorship of the Castle, had resumed it in their name.[4] Most of the principal persons now in arms had been included in the Committee of Estates as constituted by the late Parliament, with the proviso that they should be incapable of sitting there till they concurred with the majority of the House; and the clergy attributed it to "God's Providence"[5] that their friends should thus be able to form a Government, which could claim, however falsely, to be authorised by law.

After Monro had joined him at Haddington, Lanark had an army of 5,000 men; and under convoy of this considerable force, passing Edinburgh on their right, the original Committee withdrew to Stirling, closely followed by the Whiggamores, with whom they skirmished and negotiated all the way. Lanark and Monro met with more success in their skirmishing than the Committee in their negotiations; for the latter, whose real opponents were the Commissioners of the Church, had to deal with a far fiercer and a far more implacable foe. On the 18th, after much fruitless wrangling, the Engagers, as they were called, sent three

[1] Burnet, pp. 467, 469. [2] Row's *Blair*, p. 205.

[3] Origin of the later *Whig*, and said to be derived from *Whiggam*, word used by the western peasants to encourage their horses.

[4] Gordon's *Britane's Distemper*, p. 210.

[5] *Assembly Commission Records*, ii. 38.

propositions to Edinburgh pronounced to be final, the first and most important of which was that they should be secured without civil or ecclesiastical prejudice in "their persons, honours, and estates." The answer they received was unfavourable enough. On an assurance that they should not be challenged by the civil power for their lives and property, they were required to surrender at discretion to the mercy of the Church, to accept the decision of a Parliament and General Assembly, and meanwhile to efface themselves from all public offices and courts. In case of refusal they were to be prosecuted by the two kingdoms as common enemies to both; and the Commissioners of the Church intimated that a warning preparatory to excommunication would be published against six of them on the following Sunday.[1] In spite of the protests of Lanark and Monro, these terms were accepted by the Engagers on September 26. It was provided in the treaty that the forces brought over from Ulster should be permitted to return; but news soon arrived that the Scottish harbours in that quarter had been betrayed to General Monk; and Monro, having no means of landing his troops, was thus forced to disband them, just as they were preparing to embark. He himself withdrew to Holland; and his gallant veterans, who had so long upheld the Protestant cause in Ireland, are said to have been cruelly ill-used by the Whiggamore peasants.[2]

The English Independents had thus compounded for their own rejection of Presbyterianism by establishing its worst abuses amongst the Scots; for, had Scotland been left to itself, such a treaty as that of Stirling could never have been made. The Whiggamores had

[1] *Assembly Commission Records*, ii. 66.

[2] Burnet, pp. 474-477; Guthrie p. 247.

lately been writing to Cromwell, and he to them, with so strong a sense of their mutual need that their letters, dated respectively the 15th and the 16th September, had crossed each other on the road; and on the 21st, professing a desire to help his friends in their negotiations, he had brought his whole army across the Tweed. On October 4 he entered Edinburgh, where he was handsomely entertained; and having obtained a promise that the Engagers should be permanently excluded from office, and not merely till the meeting of Parliament, he departed on the 7th, leaving General Lambert with two cavalry regiments and two troops of dragoons[1] to protect the new Government, till, through the completion of a new-model army of 4,000 men, it should be able to protect itself.[2]

Theocracy was now at last to be tried, and happily for the conclusiveness of the experiment, it was to be tried in its original and least objectionable form. Andrew Melville had had to face the whole power of the State concentrated in the hands of a resident and highly popular king; and under his leadership on the one hand, and that of James VI. on the other, the conflict of bigotry and reason, initiated by Knox and Maitland in their memorable debate as to the lawfulness of the Queen's Mass, had crystallised into a struggle for supremacy between the civil and the ecclesiastical courts. That phase of the controversy had long been in abeyance. During a period of nearly forty years the powers of Church and State had been united in the hands of the bishops, and for ten years more, after the abolition of Episcopacy, they had worked harmoniously together in the development of a half-

[1] Dragoons in these days were mounted infantry.

[2] Carlyle's *Cromwell*, Letters lxxii.-lxxix.

religious and half-political revolution. Even during the crisis of the Engagement, when the old dispute was sharply and unexpectedly revived, the clergy always maintained that they were opposed, not by the State, but by one of two political parties, which happened for the time being to be stronger than theirs; and any one acquainted with the clerical manifestoes of that period must be aware how widely they differ from those of the Melville period both in language and tone. The National Covenant, indeed, embodied Knox's idea rather than that of Melville—the idea of a State impregnated with clerical and religious influence rather than that of a State in which the civil organisation is subordinate to the spiritual. We have seen, however, that the difference between Knox and Melville was a difference, not of principle or of spirit, but of method. The aim of both was to make the Scriptures as interpreted by the clergy the supreme law of the land; and in both there was the same fierce unreasonableness, incapable of compromise or concession, due to their slavish adherence to the written Word, and also to the fact that on all points of morals they preferred the Old Testament to the New.

To account for the suicidal policy adopted by the High Presbyterians in this their hour of triumph, it is necessary to bear in mind their peculiar disposition as the inheritors of Knox's spirit. The late crisis had shown that they were losing ground everywhere, except amongst the peasantry of the south-west; from the consequences of their rash defiance of the State they had been rescued only by the intervention of Cromwell, and even now, when Monro's veterans had been disbanded, they could not dispense with an English guard of horse. From these facts, however—"the mystery of

our weakness," as Baillie termed it—they inferred, not that their policy had been too exclusive, but that it had not been exclusive enough. The whole business of the Engagement had arisen, as they believed, from the "carnal counsel, foolish pity, and self-interest," through which indifferent, disaffected, and scandalous persons had been admitted to public office, an unholy alliance, against which at Preston and elsewhere "the Lord had declared His wrath from heaven." During his last illness, whilst Lanark and Monro were still in the field, having "heard of some motions and beginnings of compliance," George Gillespie had exhorted his brethren of the Commission not to "split twice upon the same rock" by associating anew "with the people of these abominations"; and with his dying breath, four months later, he besought all good Christians "to watch and pray that they be not ensnared in that great and dangerous sin of conjunction or compliance with malignant or profane enemies of the truth."[1]

The Commissioners of the Church made haste to act on Gillespie's admonition, enforced as it was by that of Cromwell, suspending loyalist ministers, marking off seven classes of Engagers for exclusion from the communion, and instructing that very subordinate body, the Committee of Estates, whom it might lawfully employ as soldiers. The political share of this "purging work," however, was necessarily reserved for the Parliament of January 4, 1649—the most presbyter-[2] ridden assembly of the kind that had ever met. Only sixteen peers were present, and the shire and burgh members had been elected under conditions which

[1] *Assembly Commission Records*, ii. 45, 53, 79, 94.

[2] In justice to the Scottish clergy, the word priest must be "writ large."

excluded all loyalists from power. On January 11, in terms of the agreement at Stirling, an Act was passed citing all office-holders accessory to the Engagement to appear before Parliament to see the House take such course as it might think fit for purging the judicatories; and this was followed on the 23rd by the notorious statute, which, after mentioning every possible variety of official from Ministers of State to town councillors and deacons of crafts, as well as "all who had any office or public trust, and all having deputation from, or dependence upon, any of the foresaid," ordained that all such persons should be expelled from office, if their conduct had been such as to bring them within any one of four specified classes. Of these classes, ill-defined and by no means mutually exclusive, the first comprised chief promoters of the Engagement, whether military or civil, and such of its adherents as had promoted the rebellion of Montrose, whilst the second comprised Engagers of lesser note, and all Engagers who had previously been censured as Malignants or Royalists. The third class was so comprehensive that it included all who had shown any sympathy with the Engagement "in their speeches and actions," or who, when opportunity offered, had not protested against it; and the fourth class comprised persons guilty of such non-political offences as uncleanness, bribery, swearing, drunkenness, and neglect of family worship. Offenders of the first class were disqualified for life, of the second for ten years, of the third for five years, and of the fourth for one year; but no person could be re-admitted to office, even after the expiry of the prescribed period, who had not "given satisfaction to the Kirk and to both kingdoms"; and the clergy were thus invested with an absolute veto on all public appointments,

unlimited in duration, and as arbitrary as it was unlimited in scope.[1]

In form as well as in substance, the Act of Classes was only the worst and wildest of many such Acts—all of them incoherent, vague, prolix, redundant, and confused, and all of them testifying to that negation of statesmanship, which consists in postponing every ulterior consideration to the end immediately in view. Thus the authority of Parliament was completely annulled by an Act which declared "that the rising in arms at Mauchline Moor was not only lawful, but a zealous and loyal testimony to the truth and Covenant," and also by an Act which declared void all statutes in favour of the Engagement "as being in themselves from the beginning unjust and unlawful." One of the reasons for this last Act, as stated in the preamble, was that the Commissioners of the Church had denounced God's judgment against the Engagement and exhorted the people to resist it, "which was seconded so speedily and immediately by God's own hand stirring up the hearts of his conscientious people to the resolution of opposing so great a defection from the Cause and Covenant, and by his performing the counsel of his messengers and confirming the words of his servants in the defeat of that army and their overthrow in England." Equally characteristic, though much briefer and more compact in form, were the Acts which required all persons to be put to death

[1] *Act. Parl.* vi. pt. ii. 131, 143-147. The Act of Classes was a *reductio ad absurdum* of an Act of January 8, 1646, fining, and excluding temporarily from office, three classes of persons involved in the rising of Montrose.—*Act. Parl.* vi. pt. i. 503. Baillie's correspondent, Spang, pointed out that the Act of 1649 made it "a greater sin not to protest against that late Engagement than to be an ordinary drunkard, since it is declared punishable with a more severe punishment."—Baillie, iii. 557.

who should consult with witches, who should be so corrupted by intercourse with heathen countries as to worship a false God, who should rail upon or deny any Person of the Trinity, and sons and daughters, above sixteen years of age, who should beat or curse their parents.[1]

When the Act of Classes became law on January 23, Charles I. had only a few days to live. Disastrous as were the consequences of the Engagement to his friends in Scotland, they were still more disastrous to himself. The danger he had so long incurred by refusing all offers of accommodation was now immensely increased by his having stirred up a new civil war; and the army insisted that he should be brought to trial. On January 3 an Act establishing a High Court of Justice was passed by the sectarian remnant of the House of Commons; on the 27th the King was formally condemned; and he was beheaded at Whitehall on January 30, 1649.

There can be no question that the root of all the follies and deceptions, which brought Charles I. to the scaffold, was his utter want of sympathy with his people. It was only as a fellow-worker with Laud in the cause of Anglican Catholicism that he had any aim in life which was not more or less personal; and few as were the adherents of that cause in England, they were naturally far fewer in Scotland. In Scotland the Anglo-Catholic mission, as propagated by William Forbes, Maxwell, and Sydserf, was never more than a sickly offshoot from the parent stem; and Charles by identifying himself with such a mission, and especially by attempting to propagate it by force, ran

[1] *Act. Parl.* vi. pt. ii. 134, 138, 152, 208, 231. An Act was also passed abolishing patronage.

directly counter to that reaction against extreme ecclesiastical pretensions, on the crest of which Scottish Episcopacy had been borne into power. The National Covenant of 1638 was a deathblow to his hopes; and as he never seriously asked himself what he must give up and what he might still venture to retain, refusing wholly to renounce Episcopacy in order to save the prerogative, as he had refused to withdraw the Liturgy in order to save the bishops,[1] the revolution was far more drastic and sweeping than it might otherwise have been. Henceforward, the land of his birth had no interest for Charles, except in so far as it could influence the course of events in England. He regarded the Scots as opponents whom it might be necessary to coerce or to conciliate, and whom it would always be good policy to circumvent. In the Parliament of 1641 Sir James Balfour reports him as saying that he had "granted many things of importance to the house, and he desired them to show him any thing that ever they had granted him";[2] and these words are eminently characteristic of Charles's relations with the Covenanters as a sort of undignified barter, determined by the value to them of the thing conceded and by the value to him of what he expected in return. Such concessions, presupposing a sense of gratitude in the receiver which did not and could not exist, failed not unnaturally to fetch their price; and the Royalist reaction, when it came, was due, not to Charles's adroitness in bargaining, but to pity for

[1] "It has been his constant unhappiness to give nothing in time; all things have been given at last, but he has ever lost the thanks, and his gifts have been counted, constrained, and extorted."—Baillie to Henderson, May 9, 1646; Hailes's *Memorials*, p. 167.

[2] *Annals*, iii. 110.

his misfortunes, seconded by that spirit of opposition, which his opponents were never slow to excite against themselves.

The alliance of the Whiggamore Covenanters and the English Independents had been repudiated by the former before the execution of the King; for on January 16 the Commissioners of the Church had issued a violent manifesto "against Toleration and the present proceedings of Sectaries and their Abettors in England."[1] Prince Charles was proclaimed King at Edinburgh on February 5, the day after that on which the news arrived of his father's death; but an Act was passed two days later that he should not be admitted to the exercise of his power till he had declared on oath his acceptance both of the National Covenant and of the Solemn League, and his resolution to establish Presbytery in all his dominions.[2] On February 24 the Scottish Commissioners in London, who had done what they could to save the King, presented a protest at Westminster against toleration and the abolition of the kingship and House of Lords;[3] and soon afterwards, a deputation of ministers and laymen was despatched to Holland to invite the Prince to Scotland on the conditions laid down by Parliament. Charles, however, refused to accede to these terms, having decided to try his fortune in Ireland; and on May 27 the baffled envoys disembarked at Leith.

The failure of the Covenanters in this their first overture to Charles II. was due in some measure to the fact that they had just perpetrated one of the worst and most inexcusable of their many crimes. The Marquis of Huntly had now been detained a close

[1] *Assembly Commission Records*, ii. 154. [2] *Act. Parl.* vi. pt. ii. 161.

[3] Gardiner's *Commonwealth and Protectorate*, i. 23.

prisoner for more than a year, having been defeated and captured in December, 1647. During all that period the clergy had never ceased to clamour for his blood, and what the clergy wanted could no longer be denied. In March the Parliament asked the advice of the Commissioners of the Church as to what it should do with Huntly, and the Commissioners returned the characteristic answer that the Word of God required murderers to be put to death without favour, that ministers had been censured for preaching to the contrary, and that whether Huntly had or had not committed murder, it was the business of Parliament to decide.[1] Accordingly, the unfortunate Marquis was beheaded at Edinburgh on March 23. Huntly had never been formidable; his feeble risings, worthy only to be characterised in Sir James Turner's phrase as "some bustling in the north," were quite free from the excesses which had stained the campaigns of Montrose; and since they thought it an "abominable and unparalleled practice"[2] in Cromwell to put King Charles to death as the author of all the bloodshed of the civil war, even such besotted fanatics as these Commissioners of the Church might have been expected to realise that it must be equally abominable, if not equally unparalleled, in them to put to death a man who in simple loyalty to the King had taken arms in his defence.

On July 7 there was a General Assembly at Edinburgh, whose principal business it was to purge the Church of all who had not opposed the Engagement, as Parliament had purged the State. To their guilt in adhering to the law of the land the loyalist ministers had now added that of suggesting a much-needed

[1] *Assembly Commission Records*, ii. 225. [2] *Ibid.* p. 214.

ecclesiastical reform. During the preceding Assembly in July and August, 1648, a number of them had met in the house of William Colville, one of the ministers of Edinburgh, and there drawn up a petition "for moderating in some things the power of the Commission of the Church," which some even of the Anti-Engagers admitted to be far too great. The petition was never presented; but the Commissioners, when it came to their knowledge, four months later, did not scruple to prosecute all who had assented to what they called "a dangerous, malignant design," and most of the intending petitioners were cited to appear before the present Assembly. The Assembly was content in the severest possible terms to condemn the petition without punishing its authors, probably because most of the latter as neutrals or as partisans of the Engagement were liable to deposition, or had already been deposed, on less invidious grounds.[1] In Baillie's words, "there had been divers commissions, east, west, south, and north, who had deposed many ministers to the pity and grief of my heart";[2] and it remained only to get rid of those whom the commissions had spared. Seventeen loyalist ministers were deposed by the Assembly itself; the rest were referred to their respective presbyteries and synods; and where these could not be trusted to purge out offenders, commissions composed of the younger and more furious zealots were appointed to purge out the synods. The synods selected for visita-

[1] Baillie, iii. 95; *Assembly Commission Records*, ii. 123, 186, 280. In spite of Baillie's assertion that nobody suffered for the "Divisive Petition," it appears both from the *Assembly Commission Records* and from Scot's *Fasti Ecclesiae Scoticanae* that it was fatal to almost all the subscribers who had previously been censured or suspected as malignants.

[2] *Letters*, iii. 91.

tion were Perth and Stirling, Angus and Mearns, Merse and Teviotdale, Argyll, and Ross. In the Synod of Perth and Stirling, by the Assembly and its visitors, at least eleven ministers were deposed—six of these in Stirling itself and within a few miles of the town ; and in the Synod of Angus and Mearns, by the visitors alone, eighteen ministers were deposed, and five suspended.[1]

This drastic purging of the Church has received less attention than it deserves. It is a remarkable testimony to the self-assertiveness of the zealots that we should hear so much of the few ministers deprived for disobedience to the Perth Articles in the course of twenty years, and so little of the greater number extruded in nine months for their refusal to take the National Covenant, of the twenty-one ministers deposed or suspended in ten days for compliance with Huntly and Montrose,[2] and of the many who were now expelled from their livings, because they had refused to preach against the Engagement. If ever men faced poverty and disgrace from the most enlightened as well as from the most disinterested motives, it was these last, whose quarrel was not with the government or ceremonies of the Church, unimportant or at least non-essential as they held these to be, but with that lawless, tyrannical and bloodthirsty spirit, which they were required, not only not to condemn, but formally and cordially to approve. Of such men, who preserved the continuity of the true Church of Scotland in its darkest hour from the days of Cowper and Patrick Forbes to the days of Leighton and

[1] Peterkin's *Records*, pp. 555-559 ; Balfour, iii. 420; Baillie, iii. 96-97 ; Scot's *Fasti Ecclesiae Scoticanae*, iv. 609-831, vi. 705.

[2] From May 12 to May 22, 1647, ten ministers were deposed for this offence, and eleven suspended.—*Assembly Commission Records*, vol. 1.

Carstares, the most conspicuous were Henry Guthrie, the *dux factionis*, as Row calls him, who had led the loyalist defection of Stirling, William Colville, the author of the divisive supplication," and above all, Andrew Ramsay. Born in 1575, only three years after the death of Knox, an able scholar and an accomplished Latin poet, professor at Saumur and Edinburgh, twice Rector of Edinburgh University, and for some thirty years a minister of the town, Ramsay was one of the few representatives in his time and country of that genuine culture, which assimilates as well as acquires knowledge, and diffuses itself as an ennobling, widening, ripening influence through the hearts and lives of men. Boldly did he protest against the monstrous doctrine that every life taken by the enemies of the Covenant in fair fight must be regarded as murder and punished capitally as such; he attended Huntly in his last moments, and received from him the dying confession of his faith. It was a high honour for Ramsay that, having been silenced by the Privy Council in former days for opposing the intolerance of bishops, he was now silenced and deposed for having resisted the intolerance of a Presbyterian General Assembly. On the memorable 23rd of July, 1637, he alone of the Edinburgh ministers had refused to read the new Prayer-Book; and eleven years later, girding himself in his old age to oppose a worse than Episcopal tyranny, he uttered from his pulpit these weighty words, which, when threatened with suspension and deprivation, he stoutly refused to withdraw: "This I say, that Presbyterial Government being settled, we should not abuse it, for as bishops were a government but human, so is Presbyterial Government; although I confess it comes nearest to the Word of God, yet I say let them not usurp above

their power, as bishops did, for it is but human, as I can prove."[1]

The hopes of success in Ireland, which had led Charles to reject the first overture of the Covenanters, were somewhat unduly prolonged. When, on his way thither, he landed in Jersey on September 17, 1649, the Duke of Ormonde had been defeated at Rathmines, and Cromwell, only six days before, had begun his victorious career by the storm and massacre of Drogheda. Ormonde, however, having lost his cipher at Rathmines, was unable to communicate with the King; and it was not till December 27, on the return of the envoy whom he himself had despatched for news, that Charles learned that the English in Munster had declared for the Commonwealth, and that Cromwell had conquered almost the whole east and south-east coast from Londonderry to Cork. By this time Winram, laird of Liberton, had arrived from the Government at Edinburgh with something worse than a repetition of their former demands; and Charles, after delaying his answer till he received word from Ormonde, sent Winram back with a message to the Committee of Estates, inviting them to send commissioners to treat with him at Breda. On the following day, January 12, 1650, he sent the Garter to Montrose, who had long been planning an invasion of Scotland on purely Royalist lines, assuring him that he would consent to nothing in the treaty prejudicial to his commission, and telling him that, as he believed his preparations had chiefly influenced the Covenanters to make this fresh overture, so his "vigorous proceeding" would be a good means to

[1] *Assembly Commission Records*, i. 481; Life of Ramsay in the *Dictionary of National Biography*.

bring them to reasonable terms.[1] The terms offered, however, at Breda by the new Commissioners, who professed to have come, not on the grounds of the King's invitation from Jersey, which had been found unsatisfactory, but in pursuance of their former demands, were so far from reasonable that Charles was required, not only to establish Presbytery in England and to conform to it himself in his person and household, but to recognise the Act of Classes, to enforce the penal laws against Romanists, to annul all treaties contrary to such laws (such as that of Ormonde with the Irish Catholics), and all commissions (such as that of Montrose) prejudicial to the Covenant.[2] For five weeks, seconded for three days in person by the Prince of Orange, Charles pleaded hard for some abatement of these intolerable demands; but on the first of May, on the assurance of an indemnity for Montrose, if he would lay down his arms,[3] he signed a draft agreement embodying all the demands, except the tacit repudiation of the Irish treaty, to which, however, in a separate paper entrusted to the Earl of Cassillis he promised to give his consent, if the Scottish Parliament would be content with nothing less.[4] Two days later, Sir William Fleming was commissioned to inform Montrose of this agreement and to require him to disband his troops; but on the 9th Fleming received additional instructions, empowering him to countermand the order for disbandment, if it should appear that the Scottish Royalists objected to such a course, or that the Covenanters were not satisfied

[1] Napier's *Memoirs of Montrose*, ii. 752-753.

[2] *Clarendon State Papers*, ii. appendix li.-lii.

[3] *Charles II. and Scotland in* 1650, Scot. Hist. Soc., p. 126.

[4] *Ibid.* p. 146.

with the King's concessions, or that they had been treating with the King merely to secure themselves against Montrose.[1]

The date as well as the substance of this last despatch is sufficient evidence that Charles was more anxious to make profit out of the Royalist expedition than to secure the safety of its leader; but it mattered little to Montrose that Fleming's departure was delayed for a week, since the order to disband could hardly have reached him in time, unless it had been contained in the letter sent with the Garter from Jersey on January 12. When Montrose read that letter at Kirkwall on March 23, he saw at once that his fate was sealed. If the Scottish Royalists had hesitated to support him in his former campaigns, they were not likely to support him now, when he was fighting only to facilitate a treaty, on the conclusion of which there would be no occasion to fight at all. Very calmly, with only a gentle remonstrance against "the too open crafts" that had prevailed at Court, Montrose assured Charles of his readiness to "abandon still my life to search my death for the interests of your Majesty's honour and service, with that integrity and clearness as your Majesty and all the world shall see that it is not your fortunes in you, but your Majesty in whatsomever fortune that I make sacred to serve."[2] About the middle of April he landed at Thurso with his foreign mercenaries and untrained Orkney levies; and on the 27th, having traversed Caithness and Sutherland without gaining almost a single recruit, he was surprised and routed by Colonel Strachan at Carbisdale in Ross. A week later,

[1] Napier's *Memoirs of Montrose*, ii. 758, 761; Gardiner's *Commonwealth and Protectorate*, chapter viii.

[2] *Charles II. and Scotland in* 1650, p. 43.

he was given up to the Government by Macleod of Assynt; and on May 21, six days after Sir William Fleming had arrived there from Breda, he was executed at Edinburgh.

The infuriated zealots, who had executed Huntly, attempted, before executing him, to humiliate Montrose; but the public declined to participate in their unseemly exultations over a fallen foe. As the Marquis, at the head of some forty of his officers, was paraded in triumph through the northern shires, weak and fevered from his wounds, mounted on a wretched pony with a saddle of rags and straw and bridled with rope, the simple dignity of his demeanour excited the admiration of loyalists and Covenanters alike; and even the people of Dundee, a town he had stormed, exerted themselves to supply his wants. It was the same on the 18th at Edinburgh during his three hours' progress from the Canongate to the Tolbooth, strapped to a chair, bareheaded, beside the hangman on "a villainous little cart." Women hired for the purpose, whose husbands or children had been killed in his wars, refused to stone or revile him; and as he passed through the enormous crowd of onlookers silent and even tearful, he was greeted everywhere with tokens of sympathy and respect. His enemies are unwilling witnesses to the faultless grace of his bearing during the next three days—to the "courage and modesty, unmoved and undaunted," with which he made his defence before Parliament; to the patient courtesy with which he parried the assaults of his clerical tormentors, from whose sentence of excommunication, at the cost of condemning his political actions, he refused, like Huntly, to be released; to the pathetic anxiety he showed in his speech from the scaffold to exonerate

the King; and the character of the closing scene may be inferred from these words penned in view of the gibbet by an English spectator, just as the execution was taking place: "It is absolutely believed that he hath overcome more men by his death in Scotland than he could have done if he had lived. For I never saw a more sweeter carriage in a man in all my life. . . . He is just now a turning off from the ladder; but his countenance changes not."[1]

It was the tragedy of Montrose's life, sadder far than the tragedy of his death, that he should have toiled so ungrudgingly on both sides of the revolution without coming nearer to that adjustment of forces which he had descried from afar as the issue of the strife. His ideal of a Scotland as free as it was loyal, exempt from the insolence of preachers, from the lawless usurpation of subjects, and from the tyranny of kings, had been shattered in the irrational encounter of Episcopacy and Presbytery, just as Maitland's ideal of a Scotland outliving its independence without prejudice to the national honour had been shattered in the struggle for supremacy between the Catholic and the Protestant faiths. Posterity has done more justice to Montrose than it has done to Maitland, for his character was cast in far simpler and in far bolder lines; and he at least is now enthroned, beyond the clouds of controversy, amongst the tutelary divinities of the Scottish race, embodying, not indeed its religious intensity, confined as that has mainly been to a particular class, but its overpowering energy, its sunless depth of feeling, its intellectual eagerness tempered by its glowing imagination and its devotion to the past.

[1] Napier's *Memoirs of Montrose*, ii. 773-809; *Deeds of Montrose*, pp. 310-334.

The execution of Montrose, followed as it was by the execution of five of his officers, would have seriously embarrassed the Covenanters, if they had thought of conciliating, and not merely of browbeating, the King; but such an idea had hardly entered their minds. On May 18, the day on which Montrose was brought to Edinburgh, the Parliament sent additional instructions to its Commissioners at Breda, requiring them to insist on an express repudiation of the Irish treaty, to see that Charles took both Covenants either before or at his landing in Scotland, and to see also that he did not bring with him sixteen of his principal friends. Charles would not wait to discuss these demands, which reached him at Terheiden just as he was preparing to embark; and though he was attended by a "profane malignant company," including several of the proscribed Royalists and Engagers, and his two English chaplains who went as secretaries, the Commissioners of Church and State, without obtaining satisfaction, were prevailed upon, one after another, to embark with him, the last and most obstinate being John Livingstone, whose companions decoyed him on board, and then sent away the boat.

Several of the Commissioners would gladly have forborne to press their new instructions till the King had reached Scotland; but, after considerable hesitation, the majority decided to proceed at once with their mission, and Charles, though sorely tempted to throw up the whole business, was prevailed upon by his friends to give way. On June 11, when his three ships by contrary winds had been brought to anchor off the coast of Heligoland, he signed the treaty as approved by the Scottish Parliament; and on June 23, on arriving at the mouth of the Spey, he took the oath to observe

both Covenants, and to establish Presbytery throughout his dominions.[1]

The King's arrival in Scotland gave full scope for the development of the cross purposes which had led to the agreements at Breda and Heligoland—the zealots attempting to convert Charles from a nominal into a real Covenanter, and Charles hoping by means of his popularity with the nation to convert them from Covenanters into Royalists. As the zealots could appeal to the King's public obligations, their efforts to regenerate his inner man were conducted in a harsh and decidedly unceremonious manner. When he came to St. Andrews in the beginning of July, Rutherford told him from the pulpit that, "if he persisted not in the Covenant, *Actum est rege et de regiâ*";[2] and on reaching Falkland he learned that all the Royalists and Engagers who had accompanied him from Holland were to leave the country, except nine, most of whom were to be excluded from Court. This was one of several measures due as much to fear of the nation as to fear of the King. The news of Charles's landing at Garmouth, when it reached Edinburgh late on June 26, had evoked a demonstration of loyalty second only to that which had greeted James VI.'s escape from the Gowrie plot fifty years before. Bells, trumpets, musketry, and cannon announced the glad event; joyous crowds, shouting and dancing, made revelry in the streets throughout the short midsummer night; and the "kail wives at the Tron"—the "she-zealots" of a former time

[1] Gardiner's *Commonwealth and Protectorate*, i. chapter x.; "Life of Livingstone," *Select Biographies*, i. 178-183; *Thurloe State Papers*, i. 148. The oath taken by Charles is in *Thurloe*, i. 147, and also in the *Clarendon State Papers*, ii. appendix lxiv.

[2] Walker's *Journal*, p. 160.

—sacrificed their creels and the very stools they sat on to feed the festive fires.[1] A great ovation greeted Charles on July 29, when he joined the army then facing Cromwell at Leith ; and at the close of a severe skirmish, which took place that day, it was found that the soldiers had chalked the letter R under the crown on their sleeves.[2] The zealots at once took alarm, irritated as they were by the reproaches of Cromwell, who taunted them with upholding the arch-malignant in the transparent disguise of a Covenanted king. On August 2, much against his will, Charles was prevailed upon to withdraw beyond the Forth ; and a serious attempt was then made to purge the army by means of commissioners appointed for the purpose by Parliament, " without being tied to any form of process, as may best satisfy their own consciences." During the next three days, within sight of the enemy, 80 officers were dismissed as Malignants or Engagers, and between 3,000 and 4,000 of the best men.[3]

Having thus strengthened the spiritual arm at the expense of the arm of flesh, the clergy promised themselves an easy triumph ; but in order to make victory still more sure, and at the same time to silence " the blasphemer," Cromwell, they demanded from Charles a testimony of his personal regeneration which almost exhausted the patience even of that long-suffering and accommodating prince. On August 11 he was asked, and refused, to sign a declaration, setting forth *inter alia* that, in spite of his obligation as a dutiful son to

[1] Nicoll's *Diary*, pp. 16-17. [2] Walker's *Journal*, p. 164.

[3] *Act. Parl.* vi. ii. 586 ; Balfour, iv. 89 ; Walker, p. 165. There had been plenty of purging, however, before this. Nicol says that, of the original muster of over 40,000 men, half were gradually weeded out, and that, at the time of the King's visit, the army was " in purging daily upon the Links of Leith."—*Diary*, p. 20.

honour his parents, he desired "to be deeply humbled and afflicted in spirit before God" for his father's opposition to the work of Reformation, and for his mother's idolatry and its toleration in the royal household. The Commissioners of the Church, considering that there might be "just grounds of stumbling" in the King's refusal to sign this declaration, issued a declaration of their own, in which they protested for themselves, and took it upon them to protest for the nation, that "they will not own Him nor His interest otherwise than with a subordination to God and so far as He owns and prosecutes the Cause of God." A copy of this declaration was sent by the Committee of Estates to Cromwell, who treated it with well-merited contempt; and the Committee having received and highly commended a remonstrance from the officers of the army to the same effect, Charles consented on the 16th, after some of its expressions had been softened, to sign the obnoxious paper. In the recklessness engendered by so humiliating an act, he was now as ready to make profit out of the family sins as Sheridan's Charles Surface to make money out of the family pictures; and "without dispute" he agreed to make a public repentance, which was averted only by Cromwell's unexpected triumph, not only for his own misdeeds and those of his parents, but for his grandfather's prosecution of honest ministers, and for the great opposition made to "the Work and People of God" by Queen Mary and Mary of Lorraine.[1]

The prospects of the campaign as well as the submission of the King raised the hopes of the clergy to the highest pitch; and on the evening of September 3, an hour before the disaster at Dunbar was announced

[1] Walker's *Journal*, pp. 166-171, 178-179.

at Court, one of their number told Charles "that now God had put a glorious victory into his hands which he must not ascribe to any other cause but that he was entered into the Covenant of God."[1] The campaign had, indeed, been almost won; and for its tragical termination, involving the loss of some 12,000 men in killed, wounded, and prisoners, the clergy were mainly, if not wholly, to blame. After attempting in vain for five weeks to bring on a battle, Cromwell had been slowly forced back by the superior generalship of David Leslie from the Braid Hills to his base at Dunbar; and it was against his own judgment, in obedience to an order from the presbyter-ridden Committee of Estates, that Leslie came down from his strong position on Doon Hill,[2] instead of waiting there to fall on the rear of the English as they retreated southward through the defile of Cocksburnpath—a defile which Cromwell had admitted he could not get through "without almost a miracle" in face of the

[1] Walker's *Journal*, p. 182.

[2] Baillie, iii. 111; Burnet, *Own Time*, i. 101; Row's *Blair*, p. 238. Row says that there was "a committee, called a Council of War, that ordered all the affairs of the army, giving orders even to the General, when to fight, when to forbear"—p. 235. Leslie was not likely to reproach the Government, but in a letter to the Committee of Estates he ventured to remind them that, though "the sole blame of that unhappy day" was laid on him, he "had not the absolute command." —*Thurloe State Papers*, i. 167. The sort of pressure to which Leslie yielded may be inferred from the seventh cause of the public fast instituted after the defeat: "The exceeding great diffidence of some of the chief leaders of our army and others amongst us, who thought we could not be saved but by ane numerous army; who, when we had gotten many thousands together, would not hazard to act anything, notwithstanding that God offered fair opportunities and advantages, and fitted the spirits of the soldiers for their duty."—Balfour, iv. 104. James Guthrie, the chief promoter of this fast, is said to have been "most instrumental in drawing on an engagement at Dunbar."—*Mercurius Scoticus*, quoted by Balfour, iv. 347, and by Nicoll, p. 72.

force stationed there to block the way.[1] Leslie, however, though overruled in point of prudence by the Committee, was still confident of success—chiefly, it seems, owing to his mistaken belief that Cromwell had shipped his heavy guns;[2] and two days after the battle, writing to Argyll, he took God to witness that he could have beaten Cromwell as easily as he had beaten Montrose at Philiphaugh, "if the officers had stayed by their troops and regiments."[3] The Scottish army, in fact, was betrayed through the criminal carelessness of the regimental officers, especially the officers of foot, who in the tempest of wind and rain that raged during the night of the 2nd deserted their posts—to which most of them never returned—leaving their men in such lawless security that, when Cromwell attacked at daybreak, they were asleep beside their unlighted matchlocks or rushing wildly about to find their horses and arms.[4] The cavalry on the right wing, surprised and almost unsupported as they were, made a gallant stand for nearly an hour; but at last, assailed both in front and flank, they were driven back in confusion on the infantry; and the infantry, disordered by the flying horsemen and having no officers or very few to direct them, were speedily routed, with the exception only of one stalwart brigade, which beat back the enemy's foot, and held its ground till a regiment of horse had charged through it "from one end to another."[5]

[1] Carlyle's *Cromwell*, Letter cxxxix.

[2] Gardiner's *Commonwealth and Protectorate*, i. 322.

[3] *Ancram and Lothian Correspondence*, ii. 297-298. "Most of the Foot Officers deserted their troops."—Walker, p. 181.

[4] Nicoll, p. 28.

[5] Carlyle's *Cromwell*, Letter cxl.; Hodgson's *Memoirs*, p. 147.

Such was the success of the clergy in their work of purging—the abnegation, as they boasted, of "carnal wisdom and policy." Sir Edward Walker may not be justified in saying that the majority of the officers were "ministers' sons, clerks, and such other sanctified creatures, who hardly ever saw or heard of any sword but that of the spirit;"[1] but down to the day before the battle veteran malignants were being cashiered in favour of untried zealots; many of the officers, especially those who had signed the remonstrance against the King, were suspected of corresponding with the enemy; and the courage of some of them was not beyond question. During a skirmish on July 31 a certain Colonel is said to have bolted in "a great fright"; and on the following day the strange conduct of a nobleman, "the Earl of W.," caused great merriment in camp. This officer, on receiving orders to lead out a party, excused himself on the ground that he had not had breakfast; and as he spent four hours over this meal General Leslie, in order to save his reputation, sent him express orders not to march. "On this," says Balfour, "the gallants of the army raised a proverb, That they would not go out on a party until they got their breakfast."[2]

At Dunbar Cromwell did for the moderate party in the Church of Scotland what he had done for the extreme party at the battle of Preston; and yet, though the moderate party was henceforth to be the dominant party, and eventually by a process of elimination was to become the Church itself, the earlier of the two battles was certainly the more important of the two. Without the blow struck at it by Cromwell, the rule of irresponsible fanatics would speedily have come to an end, whereas, without his intervention, the nation in

[1] Walker, p. 162.

[2] Balfour, iv. 86, 87.

practice would probably never have known — and certainly at that particular period would not have known—how ridiculous and outrageous that rule could be. The Act of Classes had been too much for the less fanatical of the Whiggamores, and ever since the execution of the King, which some of them ventured to defend, the party had been divided against itself. Some of the leaders were almost avowed republicans, and many more objected to a King who had allied himself with Irish Catholics, and granted a commission to Montrose. Several ministers had opposed the proclamation of Charles II., and especially the sending of commissioners to him, until his qualifications for government had been tried.[1] The resolution to send a second embassy in response to Charles's invitation from Jersey is said to have been opposed by 18 out of 40 votes in the Committee of Estates;[2] and six leading members of Parliament voted against the raising of an army to resist Cromwell.[3] The character of Charles was a strange commentary on his subscription of the Covenant; and the insults heaped upon him after his arrival in Scotland proceeded mainly from those who wished to expose him as a Covenanter only in name. On July 30, after an unsuccessful skirmish at Leith, the Committee of Estates refused to sanction a fast for the sins of the royal house;[4] and the Act of the Commission of the Church against the King, in consequence of his refusal to sign the declaration reflecting on his parents, was carried in virtue of a solemn

[1] Baillie, iii. 114. [2] Walker, p. 157. [3] Balfour, iii. 80.

[4] It was the Committee of Estates, and not, as Row says, the Commission of the Church that refused to sanction the fast. See "The Causes of the Lord's Wrath against Scotland," p. 32, in *The Presbyterian's Armoury*, vol. iii.

promise by the zealots that it should be used only for the private satisfaction of certain officers, in gross violation of which agreement it was published without the knowledge either of the Moderator or of the Clerk.[1]

These dissensions were much intensified by Cromwell's great victory, of which doubtless they were a principal cause. On September 12 some of the ministers attached to the army met at Stirling and issued certain causes of a public fast, including those prejudicial to the King which had been rejected by the Committee of Estates on July 30, and also several others referring to the "singular piece of dispensation" which had just been experienced at Dunbar. Though the fast was afterwards approved by the Commissioners of the Church,[2] many ministers refused to intimate it to their congregations; and nowhere was the opposition so strong as in Fife, the only eastern county which had supported the Whiggamore Raid. The ministers of Fife not only protested against the causes of the fast as "unduly contrived by a few persons and uncharitable in themselves," but petitioned that Engagers who had satisfied the Church should be permitted to fight for their country; and Fife was one of several shires to which the Committee of Estates thought it advisable that the King should issue letters in support of its authority.[3] The western zealots were thus left to themselves; and encouraged by some fanatical officers, who declined to serve under Leven and Leslie "as natural graceless men whom the Lord would never bless with success,"[4] they

[1] See the account given by Douglas, the Moderator, in Wodrow's *Church History*, Burns's Edition, i. 47-48.

[2] *Causes of the Lord's Wrath*, p. 32. Row omits to mention this.

[3] Walker, p. 187; Balfour, iv. 102-108; Row's *Blair*, p. 239.

[4] Row's *Blair*, p. 240. The Earl of Leven was nominally in command at Dunbar, with David Leslie as his Lieutenant-General.

asked and obtained permission from the Government now established at Stirling to raise an army of their own. It was hoped that these people in the undiluted condition that required no purging would act with great vigour; but this hope was entirely disappointed through the reluctance of their leader, Colonel Strachan, Montrose's opponent at Carbisdale, to attempt anything against Cromwell, under whom he had fought at Preston, and whom he eventually rejoined. The formation of a separate army, notoriously disloyal, was regarded with much suspicion at Court. Charles was led to believe that Strachan, with the connivance of some of the Committee of Estates, had a design to kidnap him and deliver him up to the English; and on October 4, repenting of his scheme too late to retreat with honour, he rode out of Perth to put himself at the head of a Royalist rising in the north. After an absence of only two days, Charles was persuaded to return; but his adherents refused to disperse, and when Leslie marched against them, Lieutenant-General Middleton, their leader, sent him a bond signed by himself, and amongst others, by Huntly, Athol, Seaforth, and Sir George Monro, declaring their resolution not to lay down their arms till they had been admitted to their rights as Scotsmen to fight for their country, their religion, and their king.[1]

Charles's flight from Perth—The Start, as it was called—emboldened the Whiggamores to proceed with a Remonstrance to the Committee of Estates, on which they had for some time been engaged; and on October 17 it was drawn up at Dumfries in name of "the Gentlemen, Commanders, and Ministers attending the forces in

[1] Gardiner's *Commonwealth and Protectorate*, i. 372-377; Balfour, iv. 129-132.

the west." In this document, after exposing in detail the iniquity of Commissioners and Parliament in concluding a treaty with the King, when he was known to be still a Malignant at heart, and after enumerating several recent instances to prove, in their own strange language, "that the Lord hath been deceived and ensnared by his dissembling in the Lord's work," they declared that they could not "own him and his interest" in the quarrel with the enemy, and suggested, in view of his obviously unregenerate condition, that he should be sequestered from power. The rest of the Remonstrance was in the nature of a rambling rebuke to the members of the Committee for "the iniquity of their covetousness," for their "following the counsels of flesh and blood, and walking more by the rule of policy than piety," for their looking "upon all or most of these on whom the power of godliness hath appeared with an evil and jealous eye," and above all, for their slackness in enforcing that Magna Carta of the Whiggamore constitution, the Act of Classes; "for remedy whereof" the Remonstrants petitioned that, not only Malignants and Engagers, but all who had suggested a conjunction with such people should be removed "from the Committee of Estates, the army, the court, and all other places of trust." The document concluded with a declaration, suspicious enough as coming from armed men, "that we shall, to the uttermost of our power, endeavour to get these things remedied, according to our places and callings." [1]

The Committee of Estates deferred giving an answer to the Remonstrance when it was presented to them at Stirling on October 22; but, four days later, they

[1] The Remonstrance is printed in Balfour, iv. 141, and in Peterkin's *Records of the Kirk*, p. 604.

showed what they thought of it by granting a full indemnity to Middleton and his friends in the north for the present and all former risings in arms, and for the Engagement, so far as they could do so without prejudice to the Act of Classes and other such Acts.[1] Meanwhile, however, James Guthrie, the chief supporter of the Remonstrance outside the western association, had been empowered by the Commission of the Church to excommunicate Middleton; and in spite of the indemnity, enforced as it was by the entreaties of the King, of the Moderator of the Commission, and of the Committee of Estates, he persisted in intimating the sentence.[2] Not at all discomposed by the violence of their advocate, and deaf to all proposals of compromise, the Whiggamores continued to demand an answer to their petition; and at last on November 25, just as it was dissolving in view of the meeting of Parliament on the following day, the Committee of Estates condemned the Remonstrance as "scandalous and injurious" to the King's person and authority, as dishonourable to the kingdom in so far as it tended to a breach of the public treaties, as strengthening the hands of the enemy, and as containing in its last words "a bond of a high and dangerous consequence." The Commissioners of the Church likewise, whilst professing their high esteem for its "religious and godly" authors, declared themselves dissatisfied with the Remonstrance on account of its encroaching on some conclusions of the General Assembly, on account of its "inferences and applications" to the prejudice of the King, and on account of the bond with which it closed. They acknowledged, however, that it contained "many sad truths," which, in a Remonstrance of their own to

[1] Balfour, iv. 132.

[2] Row's *Blair*, pp. 244-245.

Parliament, they besought the Estates seriously to lay to heart; and this the Estates readily promised to do, protesting that they had never "intended to extenuate their faults nor to justify themselves before God."[1]

At this stage the policy of comprehension received a great impetus through the sudden extinction of the Whiggamores as a military power. Colonel Strachan, having refused to sign the Remonstrance because it provided for the continuance of the war, had resigned his command; and Parliament, disgusted with the prolonged inactivity of the western army which had now been two months in the field, sent Colonel Robert Montgomery[2] with a large body of horse to supersede Strachan's successor, Colonel Kerr. Anxious at all costs to preserve his own independence and that of the peculiar people, Kerr resolved to anticipate Montgomery as soon as he heard of his approach; and in the early hours of Sunday morning, December 1, he attempted to surprise Major-General Lambert at Hamilton, where, though he obtained some success at first, his troops were entirely routed, and he himself was wounded and taken prisoner. The English immediately overran the whole country south of the Forth and Clyde; and on December 24 the Castle of Edinburgh was surrendered or betrayed by the Governor, Walter Dundas, who immediately joined Cromwell.

It was now clear to all but the scattered and discomfited Whiggamores that the country could not be saved on the basis of the Act of Classes. That absurd Act,

[1] Balfour, iv. 174-178; *Act. Parl.* vi. ii. 619.

[2] This is the same Colonel Robert Montgomery who set agoing the Whiggamore Raid; but with the Western Remonstrance he seems to have had no more sympathy than his father, the Earl of Eglinton, who would have had it burned by the hangman.—Balfour, iv. 172.

never very rigidly enforced, had for some time been practically ignored. Sir James Balfour notes that as early as July, 1649, the Earls of Tweeddale and Panmure, Lords Balmerino and Forrester, though they had both voted and acted for the Engagement, were admitted to Parliament;[1] and during the present session one peer after another, who had satisfied the Church, was allowed to take his seat. In September the Commission of the Church had rejected the petition of the Synod of Fife that penitent Engagers should be permitted to serve in the army; but on December 14, at a meeting drawn mainly from that shire, the Commissioners resolved that they could not oppose the raising of all fencible persons for the defence of the kingdom, except such as were excommunicated, forfeited, notoriously wicked, or professed enemies to the Covenant.[2] On the 20th Parliament took advantage of this, the first of several such resolutions, to draw up a list of Colonels, including not only Engagers, but many Royalists who had served under Huntly and Montrose; and on the 28th it endorsed the declaration of the Committee of Estates against the Remonstrance. On the first of January, 1651, Charles was crowned at Scone; and on the 12th of that month Lieutenant-General Middleton made his public repentance in sackcloth at Dundee, whilst at Perth, on the same day, Colonel Strachan, who had now joined Cromwell, was "excommunicated and delivered to the devil." On March 20 the Commission of the Church issued

[1] Balfour, iii. 413. From the *Records of the Presbytery of Lanark* (Abbotsford Club), p. 86, it appears that in July, 1650, "all gentlemen not being in the first or second class of malignants" were expected to serve in the army.

[2] Row's *Blair*, p. 251.

"a short Exhortation and Warning" of a strongly patriotic strain, calling on all Scotsmen, as they would not be unworthy of their heroic ancestors, to rise in defence of the country, exhorting ministers to stir up the people, and forbidding them to utter anything in their sermons prejudicial to the national cause.[1] Parliament, however, still hesitated to lay hands on the Whiggamore Magna Carta; and when at last it ventured to do so, it proceeded in a very cautious manner. On May 30, at the suggestion of the Commissioners of the Church, an Act was passed "for securing of religion and the work of reformation." This Act ratified generally all former Acts in favour of religion and forbade any member of that or any future Parliament to call them in question, especially the Acts passed since 1648, and expressly an Act of February 17, 1649, which provided that no malignant or morally scandalous person should be admitted to public office;[2] it confirmed the rights of all office-holders appointed since 1648, and required the excluded persons before their re-admission to sign an obligation binding them not to endeavour to repeal any of the aforesaid Acts or to revenge themselves on any man for opposing them in "the sinful and unlawful engagement" or in any malignant course, or to challenge the right of the occupants of their former offices. Three days later, on June 2, in consideration of the security thus provided for religion and for those who had been steadfast in its support, the Act of Classes and its prototype of 1646 were formally repealed.[3]

[1] Balfour, iv. 212, 224, 240, 318.

[2] *Act. Parl.* vi. ii. 207.

[3] *Act. Parl.* vi. ii. 672-673, 677. Curiously enough, it is the first of these two Acts, and not the second, that Balfour gives in full as "rescinding the Act of Classes."—iv. 301.

The effect of these proceedings was to cause much dissension, and eventually a schism, in the Church —those who supported the resolutions in favour of the proscribed Royalists and Engagers being known as Resolutioners, and those who opposed them, in accordance with the Western Remonstrance, as Remonstrants, and later, as Protesters. The question debated by the two parties was that of the personal trustworthiness of Charles and the lawfulness of associating with Malignants; but the real question at issue was whether the Covenant was to be sacrificed to the nation or the nation to the Covenant. Ever since their memorable Raid the Whiggamores had shown clearly that there was no admixture of patriotism in their religious zeal. It was through their influence that the Church had allied itself with Cromwell, and with his sanction and support procured an Act of Parliament excluding the great majority of the upper and middle classes from power. It was their contempt for "carnal wisdom and policy" that had brought a frightful disaster on the Scottish arms. After the defeat, they had insisted on making a division of the army which many people considered "as sad a blow as that at Dunbar";[1] for ten weeks they had used their forces only to support an armed demonstration against the Government, and, finally, they had thrown them away in the rash attempt at Hamilton, inspired by no higher motive than that of avoiding a conjunction with the national troops. "Let their own spirits judge," wrote Robert Blair with regard to the Western Remonstrance, "if the most real and cordial enemies our cause had would have acted otherwise to pour contempt on us and to heatin (?) their undertakings against us."[2]

[1] Row's *Blair*, p. 241.

[2] Balfour, iv. 312.

Unpatriotic, however, as the temper of the extremists had always been, it became much worse after the first step had been taken towards the repeal of the anti-Malignant laws. The most prominent of their preachers was James Guthrie, the chief of a band of fanatics, which had exploited the once loyal Presbytery of Stirling; and as Stirling was now the headquarters of the army, it soon became impossible to overlook the conduct of Guthrie and his colleague, Bennet, inasmuch as they were doing all they could in their sermons to discourage the soldiers, had persuaded some officers to resign, and were suspected even of influencing Major-General Holburn, the Governor of the Castle. The Commission of the Church, having laboured in vain to induce the two ministers to keep quiet, required them to remove from the town; but Guthrie and Bennet appealed from the Commission to the General Assembly; and when the Committee of Estates intervened, they repelled its jurisdiction on Andrew Melville's plea that the State could judge things ecclesiastical only after they had been judged by the Church. The Commissioners, when the case was referred back to them, maintained that their dealing with the recusants was in itself "an antecedent judgment"; but it is easy to see from their long report that their patience was almost exhausted with men, whose only grievance was that Malignants, professedly penitent, were admitted "to fight for their lives, religion, King, and country."[1]

The controversy thus initiated in February and March, 1651, was brought to a climax with the meeting of the General Assembly at St. Andrews on July 16, some six weeks after the Act of Classes had been repealed. On the very first day of meeting Professor

[1] *Act. Parl.* vi. ii. 641, 642; Row's *Blair*, p. 258; Balfour, iv. 250, 284.

Menzies of Aberdeen,[1] strongly seconded by Guthrie, proposed that the Commissioners, without so much as being heard in their defence, should be excluded from the Assembly as openly scandalous persons; but in spite of this "very bold and fiery motion," as Blair called it, or perhaps rather in consequence of it, the Commissioners succeeded in getting their own Moderator, Robert Douglas, voted into the Chair. At a midnight meeting on the 20th, called for the purpose of adjourning to Dundee in consequence of an English victory at Inverkeithing, Rutherford gave in a protest against the Assembly, signed by 22 persons, and he and his friends then withdrew. The Protesters professed to regard the Assembly as invalid, because the elections had been "pre-limited and prejudiced" in consequence of an Act of the Commission providing for the citation of those who, after conference, should continue to oppose the Public Resolutions; but this objection came very ill from men who upheld the wholesale proscription of the Act of Classes, and under whose influence the Commission had acted in a precisely similar way against those who refused to condemn the Engagement in 1648.[2]

[1] Menzies "used to change his shirt always after preaching, and to wet two or three napkins with tears every sermon." Note in Wodrow's Correspondence, quoted by Buckle, *History of Civilisation in England*, iii. 203, note.

[2] See p. 93. The Protesters attempted not merely to explain away the precedent of 1648, but to use it as an argument in their favour, and to this end "the godly party," as they called themselves, resorted to the most flagrant distortion and suppression of facts. In their pamphlet against the Assembly they say: "It was moved by some in the Commission that something might be written to Presbyteries requiring them to choose none but such as were against the Engagement; but this was opposed and refused by the Commission as savouring of a prelimitation of the Assembly, and all that was done was a letter written to Presbyteries giving them an account of the Commission's proceedings, and exhorting them to their duty and to choose able and faithful men." Now, the

The meeting at Dundee was as harmonious and enthusiastic as the most ardent Resolutioner could desire. The whole proceedings of the Commission were approved "with the largest commendation that ever any Commission got," except only the Act of August 13, 1650, against the King, to which, as repugnant to the great majority of the members, the Assembly appended a loyalist explanation. A severe Act was passed, requiring presbyteries and synods to proceed against all who should not recognise the lawfulness of the Assembly. Three of the leading Protesters—Guthrie, Gillespie, and Simpson—were deposed, and one was suspended.[1]

On the principles which Guthrie and his friends had enforced against the Engagers, and to which Guthrie himself owed his position as minister of Stirling, they had no right to complain. If it was an offence punishable with deposition not to have defended the decision of the Church with regard to the Engagement, and to have merely thought of petitioning that the power of the Commission should be curtailed, how much greater an offence must it have been to have violently attacked the Public Resolutions, and to have denounced the members of the Commission as traitors to the Covenant and the cause of God? When Baillie's cousin and correspondent, Spang, wrote as follows in March, 1649, he may not have anticipated that his words would so soon be made good: "These, who think God so highly glorified by casting out

truth is that the Commission did send such a letter to the presbyteries, but that, about a month later, the Act recommending the citation of ministers who had not declared against the Engagement was also sent. The Presbytery of St. Andrews received the letter on May 17, and the Act on June 14. See the *St. Andrews Presbytery Record* (Abbotsford Club), where the letter is printed in full.

[1] Peterkin's *Records*, pp. 626-631.

their brethren and putting so many to beggary, making room through such depositions to young youths, who are oft miscarried with ignorant zeal, may be made through their own experience to feel what it is which now, without pity, is executed upon others." [1]

Ever since the fatal battle of Dunbar, from the autumn of 1650 to the summer of 1651, the remnant of the Scottish army had been lying within its trenches and earthworks under the guns of Stirling Castle in a condition little better than that of Washington's force during the winter of 1777-78 at Valley Forge. In June its condition had become so desperate that, as General Leslie complained to the Secretary of State, the men were absolutely starving, and the country people, when they marched out, were wont to ask them in derision what had become of their boots and shoes, their saddles and arms.[2] It was probably this complaint which led Parliament, with considerable success, to institute a voluntary contribution for the relief of the troops;[3] and in the beginning of July the new army, so long expected at Stirling, did at last arrive. The opening of the campaign, however, was discouraging enough. In the engagement at Inverkeithing, which broke up the General Assembly at St. Andrews, the greater part of 4,000 men were taken prisoners or killed; and this was followed by the loss of Burntisland, and, on August 2, by the loss of Perth. In thus attempting to turn the enemy's flank at Stirling, Cromwell was well aware that he laid open the road to the south; and it can have been no great surprise to him, since he had

[1] Baillie, iii. 81. In point of fact, however, the sentence of the Assembly against the three ministers was never enforced.

[2] *Ancram and Lothian Correspondence*, ii. 360.

[3] Row's *Blair*, p. 272; Lamont's *Diary*, p. 30.

provided against such a contingency as best he could,[1] when he learned that the Scots had started to fight the English Commonwealth on its own ground. The Scots, indeed, could hardly have acted otherwise, as the loss of Perth meant the loss of the northern shires; but it was matter of great merriment to Lauderdale and other such wits that they who could not maintain Scotland should now attempt to conquer England.

The army, which marched out of Stirling on July 31, numbered about 13,000 men, well drilled and well equipped, and after it crossed the Border, under such merciless discipline that several soldiers were shot for leaving the ranks to gather apples in an orchard, and one for taking a pint of beer without payment.[2] King Charles, then in his 22nd year, was in much more than nominal command, and the officers, especially the general officers, were the best to be had. The route taken was that traversed by the army of the Engagement in 1648, and there was fighting on some of the old battlefields—at Winnington on the Weaver, where the invaders drove back General Lambert before he had time wholly to destroy the bridge, and on August 25 at Wigan, where the Earl of Derby was routed as he was hastening to their aid. With some such exceptions as that of Lord Derby, it soon appeared that the English Royalists disliked the Scots even more than they favoured the King; and when the army reached Worcester, three days before the action at Wigan, its strength had not materially increased. Cromwell arrived before Worcester on August 28 with Lambert's troops, the bulk of his own northern veterans, and a great force of militia; and as the Scots were still in the

[1] Gardiner's *Commonwealth and Protectorate*, i. 425.
[2] *Clarendon State Papers*, ii. 563.

city, debating whether they should advance on London or retire into Wales, the decisive battle was fought there on September 3. Victory rested with Cromwell, but it was a hard struggle—"as stiff a contest for four or five hours as ever I have seen."[1] Outnumbered by almost three to one, and discouraged, as they must have been, by the ominous anniversary of Dunbar, the Scots nevertheless made a most gallant stand; and Charles, in particular, acquitted himself as no member of his house had done since Flodden, riding from regiment to regiment in a storm of bullets, calling each officer by his name, and charging repeatedly in person at the head of his guards. About nightfall, after long and desperate fighting, in the course of which General Middleton and the Duke of Hamilton, formerly Earl of Lanark, were both wounded—the latter mortally, as he was trying to cover the retreat of his shattered regiment of horse,[2] driven from their last outposts and with their own guns firing on them from Fort Royal, the Scots retreated within the walls. The enemy pressed them hard through the Sudbury Gate, and in the gathering darkness, overpowered by numbers, they were driven right through the city, fighting stubbornly the whole way "insomuch that the streets were full of dead bodies of horses and men." Leslie and Middleton managed to get away with some 3,000 horse, but the whole of this body was soon dispersed, and the two Lieutenant-Generals taken prisoners, with many other persons of note. Charles, having left Worcester with the other

[1] Carlyle's *Cromwell*, Letter clxxxii. Hodgson speaks of "sore service," "a sore fight."—*Memoirs*, p. 154.

[2] Burnet, p. 548. The first Duke of Hamilton had been tried and beheaded as Earl of Cambridge by the English Parliament in March, 1649, for his share in the Engagement.

fugitives, separated from them in the night; and after being six weeks in hiding, he escaped to France.[1]

Not for England only, for Scotland as well as for England, Worcester, in Cromwell's words, was "a crowning mercy." Never again would Scottish blood be shed in the attempt, even the nominal attempt, to propagate Presbyterianism by force; and the ground, which had been slowly won back from the barren waste of religious dissensions, was recovered, in the main at least, for all time, when Covenanter and Royalist, Engager and Anti-Engager, fought side by side in that last desperate battle of the long civil war. The Protesters, who alone stood aloof from this national reunion, were to suffer severely after the Restoration for their unpatriotic intolerance; and much as the principles they upheld were still to influence the country, as maxims of government Scotland would know them no more. We have seen that the chief characteristic of the Knoxian school was its determination, fixed as the stars, to make its own interpretation of the divine law prevail over every secular and over every competing religious interest. For individuals, and for groups of individuals, such a form of faith would always be possible, but for nations, after the Thirty Years' War, it would no longer be possible. Since the close of the Puritan Revolution there has been no general religious war in Great Britain, as since the Peace of Westphalia there has been no such

[1] Clarendon's account of the battle as involving little or no serious fighting is at variance with that of every person engaged in it on both sides, whose narrative we have. See, besides Cromwell and Hodgson, the two letters from Scottish prisoners at Chester, one in the *Clarendon State Papers*, ii. 560-563, the other in the *Calendar of State Papers* (*Domestic*), 1651, pp. 436-437. Turner, so happily loquacious about Preston, has little to say of Worcester.

international war in Europe. The spirit of the Renaissance, which had been temporarily driven back, first by the Reformation, and then by the Counter-Reformation, was now to triumph over both; and nations as such, no longer overshadowed by supernatural terrors, were to come forth, enjoying and to enjoy, into the broad sunlight of a world older and wider than any Christian creed. Striving to make room within its borders for loyalty and for patriotism as well as for religion, Scottish Presbytery in 1651 was unconsciously adapting itself to these new conditions; for in their vain endeavours to reconcile Charles and the Covenant the Resolutioners came at last to see, what their opponents were much longer in seeing, that the fault was not in Charles, faithless and unscrupulous as he was, but in the Covenant itself. Henceforward the principles of Knox, in hopeless contradiction to the spirit of the age, were to assert themselves only as the standard of dissent; and the national Church, which Spottiswoode and Patrick Forbes and Andrew Ramsay, in their protest against the finality of ecclesiastical forms, had done so much to rear, was to be possessed by those, and the successors of those, who in a great national crisis had shown that, much as they loved the Covenant, they yet loved Scotland more.

CHAPTER XVII.

THE REIGN OF THE ZEALOTS.

The fourteen years of zealous or Presbyterian rule in Scotland from 1637 to 1651, an account of which has been given in the six preceding chapters, are as great a contrast as can well be conceived to the forty years of moderate or Episcopal rule from 1597 to 1637—a contrast as complete in the life and character, as in the external government, of the Church. It would be a mistake, however, to suppose that the work of the Moderates had been wholly undone. The revolution of 1637-38 was organised by the nobles in conjunction with the nonconforming clergy, many of whom had been allowed to retain their livings; but it was retarded, as we have seen, and continued to be long restrained by the necessity of conciliating the great body of Episcopalians, who had been driven into revolt by the excesses of Bishop Maxwell and the other Laudian prelates. It was these men who evinced their disapproval when the new theocracy first asserted itself in the "Necessary Warning" against the "cross petition"; it was these who began to be "miskent" as soon as an alliance was proposed with the English Parliament;[1]

[1] Baillie, ii. 85.

and it was mainly these who were suspended or deposed for their opposition to the Engagement in 1648. But the best proof that the restored, differed for some time in spirit from the original, Presbytery is the character of the man whom for nine years it recognised as leader. Alexander Henderson was very little of a zealot, not to say a fanatic, at heart. During the royal visit to Scotland in 1641 his deference to the King, and his anxiety to shield the Royalist plotters, exposed him to vehement reproach; and it was not till after his death, weary and somewhat disillusioned in 1646, that the old moderate and Episcopal element was finally crushed and driven out.

The Andrew Melville of the Covenant, if any such there was, was not Henderson, but his late coadjutor, Johnston of Warriston, usually known by his forensic title of Lord Warriston. If Melville had been present in the Glasgow Assembly of 1638, he would have been much astonished to hear the Moderator speak of the King as "the universal bishop of the Churches in his dominions"; but he could have found no fault with the assurance volunteered by the Clerk at his admission to office that "he would not be wanting to contribute his part towards the defence of the prerogative of the Son of God."[1] Warriston was probably the worst conventionally good man that ever wielded political power in Scotland. He was perfectly honest, perfectly devout, perfectly fanatical and cruel. From first to last, in every extravagant or merciless proceeding that disgraced the cause of the Covenant, Warriston took the lead. In 1641, as one of the Scottish Commissioners in London, he pursued Traquair and the other so-called incendiaries with the most ferocious

[1] *Large Declaration*, p. 239.

and persistent malice, calling it "a shame that any, let be so many of us, should yet be pleading for them";[1] during the King's visit to Scotland in that year, though dangerously ill, he drew up a paper against Henderson's plea that the Royalist plotters should be released without trial; after the first and almost bloodless rising of Montrose and Huntly, as well as after the battle of Philiphaugh, and only too successfully in both cases, he exhorted Parliament "to do justice on delinquents and malignants"; in 1646 he insisted on pleading against one of Huntly's adherents, though as King's Advocate he had orders to plead for him; he spoke for two hours in support of the Act of Classes, which is supposed to have been drafted by himself; his nephew Burnet says that it was chiefly he who prevailed upon Leslie to descend Doon Hill before the battle of Dunbar; he warmly advocated the Western Remonstrance; and he withdrew from Parliament as soon as the first resolution had been passed in favour of the excluded Engagers.[2]

In Warriston was embodied the central force of the Covenant which many less fanatical laymen were always trying to manipulate in their own interest or for the public good; and of such persons, politicians rather than statesmen, or, if the latter term be allowed, instrumental rather than creative statesmen, the most conspicuous was the Marquis of Argyll. As the associate and as the antagonist of a man of genius, Argyll bore the same relation to Montrose as Moray had borne to Maitland; and personal courage excepted, in which

[1] Hailes's *Memorials*, p. 122.

[2] Mr. Douglas has hardly succeeded in proving that it was Warriston who in 1651 frustrated an attempt to relieve Blackness Castle by giving information to the English.—*Cromwell's Scotch Campaigns*, pp. 238-240.

he was notoriously deficient, Argyll in many respects resembled Moray—in his reputation for piety, in the rumour that accused him of aiming at the Crown, in his alliance with the commons and clergy against the nobles, in his close relations with England, and in his liability to be influenced by his friends. When Argyll joined the Covenanters during the sitting of the Assembly of 1638, the ecclesiastical revolution so skilfully organised by Rothes was practically complete ; and it argues no exceptional sagacity in him as the leader of the political revolution that he should have looked for support to the middle class, for this had always been the policy of the Protestant and Presbyterian leaders—of Moray, of Morton, and of Gowrie. The abolition of the Lords of the Articles, the parliamentary committee which fulfilled to some extent the functions of a second chamber, was indeed a sweeping reform ; but, if there was any real intention of coming to terms with the King, it would probably have been better, as Montrose suggested, that the Crown should have been compensated for the loss of the fourteen episcopal votes. It was only with the greatest difficulty that William of Orange, after the Revolution of 1689, could be induced to sanction a free debating Parliament in Scotland ; and no Stewart king would willingly have consented to so great an invasion of his prescriptive rights.

Argyll has been deservedly praised for a speech delivered by him in 1646 to a committee of the English Parliament, in the course of which he spoke of the two kingdoms as " so many ways one, all of one language, in one island, all under one king, one in religion, yea one in Covenant ; so that in effect we differ in nothing but in name—as brethren do—which I wish were also removed that we might be altogether one, if the two

kingdoms shall think fit."[1] The ideal thus happily expressed, however, was certainly not advanced by his method of prosecuting it when the two kingdoms came into conflict in 1648. Argyll knew that the Engagement had been decidedly popular with the educated classes, that nearly the whole nobility had declared for it, as well as a clear majority of the gentry and burgesses, and that six eminent town ministers—to mention no more—had defied suspension and deposition in its support. Nevertheless, as soon as Hamilton had been defeated at Preston, he put himself at the head of the Whiggamore Raid, and having overawed the Engagers by his alliance with Cromwell, proceeded to improve his victory in defiance alike of national sentiment, of common decency, and of common sense. It was but reasonable that the Government should be reconstituted in the interest of the dominant party; but to involve the whole official class, high and low, in one sweeping proscription; to disqualify one class of office-holders for life, because they had obeyed the Parliament in opposition to the General Assembly; to disqualify another class, repentant or unrepentant, for five years, because they had not protested against the Engagement, or because in private conversation they had expressed themselves in its favour; to enact that no office-holder should be reinstated till he had satisfied, not the Kirk only, but both kingdoms; to "disclaim"—not to repeal—Acts of Parliament as invalid from the beginning, because they had been denounced by the Church; formally to approve the conduct of clergymen who had headed an insurrection against these Acts as "that which became ministers of the Gospel and people zealous for the truth to do"—what is to be said of the "British

[1] Masson's *Milton*, iii. 419.

statesman," so-called, who imagined that he could promote the union of the kingdoms, not to mention his own ascendency and that of his party, by such measures as these? On this occasion at least Argyll was not overruled by the violence of his clerical allies, for the more reasonable of the latter objected to the Act of Classes as much too extreme; and he himself introduced the measure, says Balfour, in "a very long speech consisting of five heads which he called the breaking of the malignants' teeth, and that he who was to speak after him (Warriston) would break their jaws." [1]

The effect of the Act of Classes was to establish in Scotland an ultra-Presbyterian monopoly of the strictest kind, resting on English and sectarian support; and this unnatural combination fell to pieces under the weight of two successive blows—first, the execution of the King, which roused Scotland against England, and secondly, Charles II.'s acceptance of the Covenant, which revived the idea of a Presbyterian crusade. With this latter project, now that, instead of uniting, it must embroil the two countries, Argyll had little sympathy; but, though he ventured secretly to intrigue against it, he had to abide by the consequences of his policy, which had pandered to the worst instincts of the zealots—their intolerance, their rigid exclusiveness, and their lawless insubordination. The long series of blunders, which terminated so disastrously at Dunbar, ruined the ascendency both of the zealots and of their political chief; and from the date of Charles's flight from Perth to that of the repeal of the Act of Classes Argyll was driven from one concession to another in the vain attempt to surrender his principles without relinquishing his power. Unhappily for himself, he

[1] Balfour, iii. 577.

declined to take part in the forlorn expedition into England, which might have retrieved a worse reputation than his; and we shall find that he was one of the first to suffer in his own person for that divorce of ecclesiastical from political, of religious from national ideas, which was henceforth to divide the Church, and to which he had given so fatal an impetus by his mischievous legislation in 1649.

In a previous chapter some account has been given of the efforts made by the Reformed Church to establish a censorship of morals; and although the subject belongs historically to no particular period, it may be well to resume it here. The rigorous enforcement of ecclesiastical discipline was indeed very far from being a peculiarity of the zealots. Not only did the kirk-sessions and presbyteries survive under episcopal rule, but the spirit which animated them was in great measure the same; and the change effected by the Moderates in the government of the Church was a change, not so much from Presbytery to Episcopacy—for since Melville's day the Church of Scotland has always been Presbyterian—as from self-governing Presbytery to Presbytery controlled by bishops. The change, however, was sufficiently complete to give point to Hume of Godscroft's audacious parallel between the "shadows and shows of our discipline" and the forms of the old Roman constitution preserved by Julius Cæsar; for, however great the authority they wielded within their respective bounds, it was only rarely, under strict episcopal supervision, before 1618, and not at all after that date, that the presbyteries were allowed to form themselves into a General Assembly; and the paralysis, which had thus overtaken the central power of Presbyterianism, was felt as a mildly restraining

influence even in the local courts. As early as 1597, the first year of their rule, the Moderates at the King's request had abolished summary excommunication; and the Assembly of 1610 ordained that no person in any diocese should be excommunicated without the bishop's consent. In 1624, having been frequently importuned to issue commissions for the trial of witchcraft on grounds which they found "to be very obscure and dark," the Privy Council resolved that in future all depositions and informations on the subject should be presented to the bishop of the diocese, upon whose report they would grant or refuse such commissions; and in 1627, in granting a commission on complaint of the Presbytery of Turriff endorsed by the Bishop of Aberdeen, the Council required the Bishop to order a fresh examination, and not to issue the commission till he was satisfied as to the sufficiency of the charge.[1] The episcopal veto thus established in processes of witchcraft and excommunication is said to have been no empty form. It was one of the articles of the general indictment against the bishops in 1638 that they had encroached on the jurisdiction of presbyteries and synods, "staying their proceedings against Papists, Sorcerers, Adulterers, and other gross offenders"; and some of them were accused, in particular, of having "slighted charming," of having overlooked adultery, and of having admitted immoral persons to communion.

In one respect, at least, in so far as they were subject to episcopal control, the reins of discipline had certainly been relaxed. It is worthy of remark that from 1598 to 1640 there was no fresh legislation in Parliament for the observance of Sunday. The bishops indeed showed some reluctance to sacrifice the Sunday to the Sabbath;

[1] *Privy Council Register*, xiii. 620; Second Series, i. 600.

and though the kirk-sessions adhered with singular tenacity to the old—or more correctly—to the new rule, there was here and there a parish, where the minister ventured to uphold the Laudian maxim, that "to make the Sabbath a moral precept was to Judaise." [1] The Presbyterians on their return to power exerted themselves to remedy what they conceived to be a great abuse; but it is remarkable how difficult they found it to enforce, not merely their own extreme conception of the Sabbath, but such a conception of it as prevails in Scotland at the present day. Thus in 1640, on the petition of the Commissioners of the Church, an Act was passed prohibiting salmon-fishing on Sunday, the working of salt pans and mills, and the hiring of shearers, who were wont to congregate on Sunday mornings in harvest for the purpose of offering their services during the following week. Next year the Act was renewed under heavier penalties, as "the said abuses are not left off, but rather increased"; [2] and it appears from a statute passed in 1649 that fishing, salt-making, and other industries were still general on Sunday morning and evening.[3] It was in Fifeshire, notwithstanding its high religious reputation, that these Acts were most persistently ignored. The Presbytery of Kirkcaldy in 1646 lamented "the multiplied relapses of salters in Sabbath-breaking," and as they had "now become regardless of the form of

[1] Baillie, i. 165.

[2] Those who could not pay the prescribed fines were "to be punished in their bodies"; and it was doubtless on this authority that the Kirk-Session of St. Andrews in 1649 ordered a Sabbath breaker to be scourged. —Principal Lee's *Lectures*, ii. 406.

[3] *Act. Parl.* v. 268, 297, 390; vi. ii. 185. In 1679 a clergyman, who was no advocate for a "Judaical Sabbath," complained of the prevalence of salmon-fishing on Sunday.—Gordon's *Reformed Bishop*, p. 205.

their satisfaction before pulpits," required them in future to satisfy on the stool of repentance for twice the former term, and meanwhile to be debarred from the communion;[1] and so late as 1698 we find the Presbytery of St. Andrews requesting the Synod to concur in an address to the Justices of the Peace for the stoppage of salt-pans on Sunday.[2]

The same difficulty was experienced by the guardians of the Sabbath when they attempted to secure it against the encroachments of the preceding and the following day. In 1640, in order to prevent travelling on Sunday, an Act was passed abolishing the Monday market in Edinburgh, which the clergy in 1592 had vainly endeavoured to suppress,[3] and the market on the same day in Jedburgh, Dumfries, Brechin, and Glasgow. Two years later, the statute was renewed, as no attention had been paid to it, and it was enacted that no market should be held either on Monday or on Saturday in any burgh under a penalty of 100 merks; yet in 1650 we find the Presbytery of St. Andrews requiring ministers in burghs "to deal with such as have not changed their Monday and Saturday markets to other days of the week."[4] These and other Sabbatarian statutes, detailed as many of them were, furnished merely the general principle, which the Church courts, by a mass of supplementary regulations, were careful to expand as well as to apply in practice. The General Assembly of 1648 recommended that carriers and travellers should be required by their ministers to

[1] Stevenson's *Presbytery Book of Kirkcaldy*, p. 304.

[2] *St. Andrews and Cupar Presbytery Record*, Abbotsford Club, p. 100. In 1649 shearers were still hired on Sunday at Abernethy in the Presbytery of Cupar.—*Presbytery Record*, p. 145.

[3] See vol. i. p. 257.

[4] *Act. Parl.* v. 297; vi. i. 194.

produce testimonials from the place or places where they had rested on the Lord's Day.[1] In 1653 a certain William Howatson was called to account by the Kirk-Session of Stow "for going from Lugate to Colmslie upon the Lord's Day to visit his sick mother";[2] and the Presbytery of St. Andrews in 1643 required a man to satisfy as a Sabbath-breaker who had ridden from St. Andrews to Burghley to intercede for a woman apprehended—not condemned—as a witch, and ordained "that sin also of dealing for such to be laid out before him."[3]

Except as regards the extreme penalty of excommunication, the discipline of the Church courts against immorality had been little restrained by the bishops; and after 1638 offences of this nature were punished with even greater severity than had been usual in the days of Knox and Melville.[4] Reference has been made to the contrast observable between the code of morals inculcated by the Church and the actual condition of the people; and at no time was that contrast so glaring as during the period now under review. The annalist Kirkton, indeed, has drawn a picture of the restored Presbytery even more highly coloured than that drawn by Scott and Calderwood of the original Presbytery at its zenith in 1596. From his account it would appear that religion had always

[1] Peterkin's *Records*, p. 512.

[2] Craig-Brown's *History of Selkirkshire*, i. 451.

[3] *St. Andrews and Cupar Presbytery Record*, p. 14.

[4] The Assembly of 1648 required adulterers for the first offence, and fornicators for the third, to make their repentance in sackcloth for half a year or 26 Sabbaths.—Peterkin's *Records*, p. 512. In this year the Kirk-Session of Dunfermline ordered a woman for repeated immorality to "be carted and scourged through the town, and marked with a hot iron, and so banished forth of the parish."—*Kirk-Session Record*, edited by Henderson, p. 28.

flourished in Scotland since the Assembly of 1638, that it reached a state of extraordinary perfection in the interval between Hamilton's defeat at Preston and the arrival of Charles II. in 1650, and that this high level was rather more than maintained from that time to the Restoration. "Then was Scotland a heap of wheat set about with lilies, uniform, or a palace of silver beautifully proportioned; and this seems to have been Scotland's high noon. The only complaint of prophane people was, that the government was so strict they had not liberty enough to sin."[1]

The well-known description, of which these words are a sample, has justly been characterised as "in its leading points an enthusiastic fable."[2] It may well be doubted, indeed, whether the tendency of the Scottish discipline to defeat its own ends was not greatly aggravated by the "sort of godly young men," successors of extruded Moderates, whom Kirkton represents as the instruments of the supposed Reformation; but whatever may have been the character of the means employed to regenerate the people, there is abundant evidence that they did not succeed. "Under heaven," wrote Nicoll in 1651, "there was not greater falset, oppression, division, hatred, pride, malice, and envy nor was at this time, and divers and sundry years before (ever since the subscribing of the Covenant), every man seeking himself and his own ends, even under a cloak of piety,

[1] For the whole passage, see Kirkton, pp. 48-50.

[2] Peterkin's *Records*, p. 626. With regard to the nine years which preceded the Restoration, Kirkton expresses his belief that "there were more souls converted to Christ in that short period of time than in any season since the Reformation, though of triple its duration," pp. 54-55. Yet during the whole of this period we shall find the Protesters crying out against the multitude of insufficient, corrupt, and scandalous ministers.

which did cover much knavery"; and the same diarist remarked in 1657 that incest and other unnatural vices, as indeed his own entries go far to prove, had increased more "within these six or seven years nor within these fifty years preceding."[1] Sir James Turner told a Presbyterian minister after the Restoration that he "never saw either public or private sin more abound than in the years 1643 and 1644, when the Solemn League and Covenant was subscribed by many."[2] The Commissioners of the Church in 1646 petitioned Parliament to renew the laws against adultery and incest—"these odious sins having grown to such a height of abomination as is horrid to express";[3] and one of the causes of a public fast in 1653 was "the growth of sin of all sorts, particularly pride, uncleanness, contempt of ordinances, oppression, violence, fraudulent dealing—most part of the people growing worse and worse."[4] One of Cromwell's soldiers writes thus of the Scots in 1650: "For the sins of adultery and fornication they are as common amongst them as if there were no commandment against either (they call those only broken women that have had but six bastards). . . . Whoredom and fornication is the common darling sin of the nation."[5] Cromwell himself in the same year wrote that he thought to have found in Scotland "a conscientious people and a barren country; about Edinburgh it is as fertile for corn as any part of England; but the people generally are so given to the most impudent lying and frequent swearing as is incredible to be believed."[6]

[1] *Diary*, pp. 59-60, 202.
[2] Turner's *Memoirs*, p. 160.
[3] *Act. Parl.* vi. i. 552.
[4] Chambers's *Annals*, ii. 198.
[5] *Charles II. and Scotland in* 1650, p. 136.
[6] Carlyle's *Cromwell*, Letter cxlix.

If these extracts do not establish the utter depravity of the Covenanted people, they at all events disprove the panegyric of Kirkton. Nevertheless, as he himself understood it, his description had probably an element of truth. When he speaks of souls being converted, of the spirit being poured out with the Word, of communicants continuing for three days in a sort of trance, he refers to that gregarious excitement, more consonant with Presbyterian than with Episcopal rule, which was a primary cause of the superstition of witchcraft, and the worthlessness of which he himself unconsciously admits, when he represents it as suddenly extinguished by the loyal enthusiasm of the Restoration. Witchcraft, however, though fostered by such excitement, had its roots in the general credulity of the age as well as in that theological teaching which was accepted by Moderates and zealots alike; and it continued to claim its victims throughout the long interval between the fall and the restoration of Presbytery. One of the very worst cases on record occurred at Broughton, now part of Edinburgh, in 1608, when several women, who protested their innocence to the last, were burned alive, some dying in despair, and others in their agony breaking loose from the stake, only to be thrust back again into the flames.[1] The superstition was always extremely prevalent in Fife; and after a period of quiescence due to the excesses of 1597, it revived in Aberdeen. From 1619 to 1622 seven commissions were issued by the Privy Council for the trial of witchcraft in Inverkeithing; and from 1622 to 1625 about fifty persons were delated to the Council for this offence, nearly half of whom resided in the neighbourhood of Inverkeithing and Culross. Only one commission was

[1] Pitcairn's *Criminal Trials* (Bannatyne Club), iii. 597-598.

issued during the first year of Charles I.'s reign, and this may have been due in some measure to the Act of Council in 1624, providing that informations of witchcraft should be revised by the bishops; but, if such was the tendency of the Act, it was speedily overpowered. During the years 1626 and 1627 commissions were issued against 18 persons in Fife—9 of these in the town of Dysart alone, and against no fewer than 32 in the county of Aberdeen.[1]

If witchcraft has been correctly described as "the reflection by a diseased imagination of the popular theology," one cannot wonder that it increased, with the growth of fanaticism, after 1638. The terrorism practised by the clergy in their sermons was probably not much worse than it had always been;[2] but the revolution in the government of the Church and the religious excitement of the time were favourable to the two main tendencies of witchcraft—the tendency to see the phenomenon in others, and the tendency to imagine it in oneself. It was one thing to concur in a

[1] *Privy Council Register*, vols. xii., xiii.; Second Series, vol. i. It must be borne in mind that the Council Records do not exhaust the number of sufferers for witchcraft, as not a few of these were tried by the ordinary courts. To issue commissions to persons of the district where the crime was charged, which could not be done in a case of murder, was of course the likeliest means to ensure conviction; and Sir George Mackenzie in the reign of Charles II. said he had "observed that scarce ever any, who were accused before a country assize of neighbours, did escape (*i.e.* survive) that trial." From Chambers's *Domestic Annals* witchcraft appears to have been very prevalent from 1629 to 1631, after which year—to judge by the silence of that writer—it seems to have declined.

[2] Lord Kenmure, addressing his servants on his deathbed, said; "I know what is ordinarily your religion: ye go to the kirk, and when ye hear the devil or hell named in the preaching, ye sigh and make a noise, and it is forgot with you before you come home."—*Select Biographies*, i. 405. This was in 1634, and under episcopal divines whom Kenmure calls "a pack of dumb dogs."

prevailing superstition, as the bishops had done, and another thing to promote it. The Assembly of 1640, far from providing a substitute for the episcopal veto, required all ministers "carefully to take notice of Charmers, Witches, and all such abusers of the people, and to urge the Acts of Parliament to be execute against them." In 1643 there was an extraordinary outbreak of witchcraft in Fife—over thirty persons having been burnt within that county in a few weeks; and the Assembly of that year, on the ground that many parishes were without the concurrence of the civil power, resolved to petition the Privy Council that a standing commission for the trial of witchcraft should be granted to certain gentlemen and magistrates within the bounds of presbyteries which should desire such help.[1] In 1644 Parliament approved of a recommendation by the Assembly that a conference of lawyers, physicians, and divines should be appointed to consider the best means of suppressing witchcraft;[2] but this project seems not to have been carried out, as five years later we find such a conference appointed by the Assembly itself.[3] The delusion must necessarily have been strengthened by these testimonies to its truth; and in common with other evils of fanaticism, it rose to an extraordinary height in 1649. The Whiggamore Parliament, which renewed the statute of Queen Mary against sorcerers and consulters therewith, was the first to issue commissions for the trial of witchcraft; and such was its zeal that from June 20 to August 7 no fewer than fourteen such commissions appear among the printed Acts. Sir James Balfour says that in one afternoon he himself saw commissions issued "for

[1] Peterkin's *Records*, pp. 279, 354, 366.
[2] *Act. Parl.* vi. i. 197.
[3] Peterkin's *Records*, p. 553.

trying and burning of 27 witches, women, and 3 men and boys;"[1] and the epidemic was now so widespread that amongst the districts affected were Fife, Perth, Stirling, Linlithgow, Edinburgh, Haddington, Berwickshire, Peebles, and Lanark. Many more commissions were issued in November and December; and 14 or 16 women are said to have been burned in one "little village."[2]

We have seen that the execution of supposed witches and wizards, unless they happened to be burned alive, was seldom the worst part of their sufferings; and confessions continued to be extorted, sometimes by violent means, but usually by the denial of sleep and of all but the scantiest possible allowance of food. Witch-pricking had now become a profession, though it seems to have been a novelty as such in 1632; and in the parish of Dunfermline every householder was required to take his turn in watching. In 1643 a woman complained to the Privy Council that she had been kept awake for "twenty days, naked, and having nothing on her but a sackcloth"; and six women in 1650 were tortured in so fiendish a manner that four of them died.[3] As in the previous century, the kirk-sessions were courts of first inquest in all cases of witchcraft; and they showed great reluctance to abandon the charge in the rare cases in which it could not be proved. Thus, in 1644, the Kirk-Session of St. Cuthbert's, Edinburgh, having in vain invited

[1] Balfour, iii. 436-437.

[2] *Charles II. and Scotland in* 1650: letter of an English soldier previously quoted—"Witches, if there be any such creatures." At Torryburn, four miles from Dunfermline, one out of every three old women is said to have been prosecuted as a witch.—*Dunfermline Kirk-Session Record*, p. 14, note.

[3] Chambers's *Domestic Annals*, ii. 61, 154, 219.

evidence against "Marion Fisher, charmer," required her to make repentance in sackcloth, not for being a witch, but for being suspected as such.[1]

As the revolution of 1638 must be attributed, not to the internal condition of the Church, which had never been more flourishing since the Reformation, but to the pressure brought to bear upon it by the Crown, it may be thought that here at least, if nowhere else, the tendency of the movement was wholly for good. It must be conceded to the Covenanters that the ecclesiastical polity they upheld is that which has ultimately prevailed, that they were the avowed opponents of despotism in Church and State, and that they obtained for Scotland the considerable, though at that time somewhat questionable, boon of a free debating Parliament. The freedom of both Parliament and Assembly was indeed greatly limited by their own omnipotent committees; but even on the assumption that the Covenanters established really liberal institutions, it cannot seriously be maintained that these institutions were worked by them in anything approaching to a liberal spirit. For a form of Church government, which only a few extremists ventured to call divine, they substituted one, the divinity of which nobody was permitted to call in question. The Court of High Commission had deposed a few ministers for preaching against the laws of the Church, but it had never deposed any for refusing to preach in their favour; and far from threatening deposed ministers with excommunication, if they exercised any part of their calling, it had allowed nearly all of them to preach in any parish but their own. Nor can it be said that the rigid uniformity of practice enforced by

[1] Dalyell's *Darker Superstitions of Scotland*, p. 665.

the Covenanters was tempered, as in the case of the Laudian extremists, by any concession to intellectual freedom. On the contrary, the right of private judgment, the essential principle, not of the Reformers indeed, but of the Reformation, was never more emphatically denied. The Assembly of 1648, which declared against the King's negative voice in Parliament, declared also against a "wicked toleration." The Commission of the Church in 1649 declared: "Nowhere can we find in the Scriptures of Truth either precept or precedent allowed of God for toleration of any error, much less . . . . of all error";[1] and Samuel Rutherford, in his treatise of that year, maintains that "indulgence in non-fundamentals, not in fundamentals, is a vain distinction," and that false teachers in both cases may justly be put to death.[2]

It has been mentioned that the interest of the Church in education was almost the only Roman Catholic tradition which the Reformers were careful to uphold; and no break of continuity occurred in this respect between the Episcopal Church and the Church of the Covenant. The Privy Council in 1616 ordained that a school should be established in every parish of sufficient means under the direction of the bishops; and this ordinance was ratified by Parliament in 1633, with the addition of a clause which provided that the bishops should have power to impose taxation for the maintenance of schools with consent of the heritors and the majority of the parishioners, or if the heritors should refuse to concur, with consent of the latter alone. In 1641 the General Assembly petitioned Parliament that a school for instruction in reading, writing, and the rudiments of

[1] *Assembly Commission Records*, ii. 154.

[2] See his *Free Disputation against Pretended Liberty of Conscience.*

religion should be established in every parish, and a grammar school in every considerable place, under which designation were to be reckoned "all presbyterial seats"; and every minister was enjoined to report to his presbytery whether a school had been instituted in his parish, and if so, on what basis it was maintained. In 1646 was passed an important statute, which, with certain modifications, was revived half a century later. According to this Act, the heritors of every parish as yet without a school were to provide a school-house and a stipend for the master, which if they failed to do, a dozen persons nominated by the presbytery were to establish the school and to tax the heritors for its support. In their overture to Parliament in 1641 the Assembly had made a most laudable appeal on behalf of the children of the poor; and many instances occurred, both before and after the crisis of 1638, in which the fines levied by kirk-sessions were applied to the support of indigent scholars.[1]

[1] The Acts of Parliament and Council mentioned in this paragraph, with many other documents illustrative of the history of education in Scotland, will be found in the *Maitland Miscellany*, ii. 1-37. See also Grant's *Burgh Schools*, p. 81.

CHAPTER XVIII.

THE RESTORATION, 1651-1663.

When Cromwell obtained his "crowning-mercy" at Worcester on September 3, 1651, General Monk, with the residue of the northern troops, had almost completed the subjugation of Scotland. On August 14 Stirling Castle surrendered; on the 28th the Committee of Estates was surprised and captured at Alyth; and on September 1 Dundee was carried by assault. Monk then pushed his way northward to Inverness, and by the end of the year there was no longer a Scottish army in the field. Dumbarton Castle surrendered in January, 1652, and Dunottar, the last of the strongholds, on May 26. The English Parliament had at first thought of annexing Scotland as a conquered country, and with this object an Act had been introduced "asserting the title of England to Scotland." In the end, however, milder counsels prevailed; and in January, 1652, Commissioners arrived at Edinburgh with a proposal "that Scotland shall and may be incorporated into and become one Commonwealth with this of England." The "Tender," as it was called, which the English regarded as a very liberal offer, was reluctantly accepted by representatives of the shires and burghs; and the union

of the two countries, after its details had been adjusted by a committee of the English Parliament in conference with twenty-one Scottish deputies, was consummated in December, 1653, by *The Instrument of Government* which provided that Scotland should be represented by thirty members in the united Parliament of England, Scotland, and Ireland. The promise of religious toleration rendered the union less distasteful to the Royalists or Malignants than to the Covenanters ; and it proved of great advantage to the townspeople by securing to them complete freedom of trade with England.[1]

Encouraged rather than dismayed by this national humiliation, which they regarded as God's judgment on a backsliding people, the Protesters continued to dissociate themselves from the sins and defections of the time. It was remarked by their opponents that they presented their protest against the Assembly at St. Andrews on the very day when a large detachment of the army was cut to pieces at Inverkeithing;[2] and after the battle of Worcester they completed the secession which they had begun after the battle of Dunbar. In October, 1651, whilst the Commission of the Church was flitting from place to place in the yet unconquered north, the Protesters met at Edinburgh in what they called an "extra-judicial meeting"; and having decided that they could not recognise this Commission, since it emanated from the pretended Assembly at St. Andrews, they resolved to restore the Commission appointed by the preceding Assembly in the persons of those of their

[1] Firth's *Scotland and the Commonwealth* (Scot. Hist. Soc.), Introduction. Monk in 1654 wrote of the townspeople as "generally the most faithful to us of any people in this nation."—Firth's *Scotland and the Protectorate* (Scot. Hist. Soc.), p. 195.

[2] *Some few Observations about the late Differences in the Kirk of Scotland*, p. 23.

number, though but a minority, who happened to be members.[1] The Whiggamore segment of the Committee of Estates had done much the same thing in 1648;[2] but the authority assumed by the Protesters was that of an extinct, not a current, Commission; and it soon appeared that they acknowledged no limit to the duration of their power. In 1652, having in vain besought the Assembly of that year not to constitute itself as such, they protested against it on the ground that it had been appointed by the preceding Assembly, which had also influenced the elections by enjoining synods and presbyteries to censure those who opposed the Public Resolutions. The Churchmen were thus able to assert against their "dissenting brethren" that they had "set themselves down as a Commission which (for anything we know) may be a perpetual court, seeing they allege the continuance of their power till the next free and lawful general Assembly, and none such can be had so long as they please to protest against it."[3] The pretensions of the usurping Commission, however, were more formidable than its deeds; and after it had been in existence for seven years, Guthrie claimed for the Commissioners in token of their desire for peace that the only use they had made of their power was to issue, as the manifesto of the party, his pamphlet entitled, "Causes of the Lord's Wrath against Scotland."[4] On July 21, 1653, the intention of the dissenters to protest

[1] Row's *Blair*, p. 286. [2] See p. 101.

[3] *A True Representation of the Rise, Progress, and State of the Present Divisions in the Church of Scotland*, p. 35. Another pamphlet puts the case thus: "This is complained of as unusual and a nursery of all confusion for private men to overturn a Judicatory and leave us there during their pleasure."—*Some Few Observations about the late Differences in the Kirk of Scotland*, p. 19.

[4] Guthrie's *Protesters no Subverters, and Presbytery no Papacy*, p. 72.

against the third and last of the controverted Assemblies was forestalled, much to their disgust, by a party of English soldiers, which broke up the meeting on suspicion that it had some connexion with Glencairn's rising in the Highlands ; and no Assembly met thereafter for thirty-seven years.

Short of an absolute surrender, the ecclesiastical authorities did their best to bring this wretched schism to an end. In May, 1652, efforts were made to procure the concurrence of the Protesters in the forthcoming Assembly ; and the Assembly did not scruple to treat with those who denied it to be an Assembly at all. In the autumn of that year there was a conference for union ; and three years later, in November, 1655, there was another conference, of which, as it was the last, some account may be given. The Protesters, offering no concessions in return, demanded that the Acts of the Commission appointed by the Assembly of 1650 with regard to the Public Resolutions, the Acts of the controverted Assemblies, and all Acts of synods and presbyteries dependent thereon, should be made void both for purposes of censure and as importing the definitive judgment of the Church, that they should never be re-enacted, and that future Assemblies should not be prejudiced in the points to which exception had been taken in 1651 and 1652.[1] The dominant party consented to annul the Acts as grounds of censure. With regard to the Acts themselves as an approval of the Public Resolutions, they proposed that this question should be referred to a free Assembly elected without reference to the recent

[1] Beattie, misled probably by an ambiguous passage in *Protesters no Subverters*, represents these demands as concessions offered by the opposite party.—*Church of Scotland during the Commonwealth*, p. 255.

disputes; and whilst not requiring the dissenters to renounce their protestations, they insisted that they should make no further use of them to disturb the peace of the Church. On such terms—Gillespie alone dissenting—the Protesters would not discuss even the possibility of union. They called it "a mock remedy" to offer them an Assembly, and not at the same time to promise such a purging of the Church as should secure "the godly" against being outvoted; and though they had protested against the Assemblies of 1651 and 1652 as "prelimited and prejudiced," they now complained that these overtures laid down no rule for the election and procedure of the proposed Assembly. So, too, whilst asking the Church formally to reverse its judgment with regard to the Public Resolutions, they thought it very hard that they—the minority[1]—should be asked merely to lay aside their protestations. That they had never contemplated yielding anything, however small, for the sake of union is acknowledged by their apologist in concluding his account of the conference. "We judge it but the effect of the wisdom of the flesh and to smell rankly of a carnal politic spirit to halve and divide the things of God for making peace amongst men."[2]

[1] Lord Broghill, writing to Cromwell in 1655, describes the Resolutioners as "by very much the greater number of the ministry, and the Remonstrants as much the less, and inconsiderable in number and in influence both in England and here." The Resolutioners themselves claimed to be 750 out of 900 parish ministers.—*Thurloe State Papers*, iv. 557-558. Baillie states that there were only seven Remonstrants in the Synod of Fife, not more than fourteen in that of Perth, and the Presbyteries of Linlithgow and Biggar excepted, only three in that of Lothian.—*Letters*, iii. 299.

[2] See Guthrie's *Protesters no Subverters, and Presbytery no Papacy*, pp. 83-93.

These words might have been uttered by Knox; and it may be conceded to the Protesters that the principles they upheld were those which had hitherto been dominant in the Presbyterian Church. As Knox would have dragooned Mary into Protestantism at the cost of civil war, as Melville had denied the right of James to show clemency for political reasons to the Catholic Earls, so the Protesters maintained that no necessity, however urgent, could justify the State in employing any but approved Covenanters in its defence.[1] Such rigour was now generally condemned, except among the fanatical peasantry of the south-west. On a wave of patriotic feeling Scottish Presbytery had broken away from its cruel, illiberal, and persecuting past; and the majority were so far from repenting of the Public Resolutions, under which Scotsmen of all sections had fought side by side at Worcester, that they proclaimed them to be "Truths of God." "We doubt not," wrote one of them, "but that in the case of the invasion of a nation by foreign force, and when the whole nation is in common hazard, all subjects and compatriots, as well those that are orthodox Christians as others, though they were idolaters, Jews, Turks, or Heathens, may be called forth, and that a conjunction with them in arms for the defence of the Commonwealth and their own mutual preservation is lawful, yea and a necessary duty." [2]

Happily there was no reason to fear that the Protesters would succeed in reviving the intolerant

[1] This particular contention indeed, as the Resolutioners were careful to point out, would not have been endorsed by Knox. Intolerance of this extreme type was a luxury denied to the infant Church.

[2] *A True Representation, etc., of the Present Divisions in the Church*, p. 14.

spirit of Presbytery so long as they continued in practice to be so regardless of its forms. Not a few of them had gone over to the Independents, the latest seceder being John Menzies, who in 1651 had urged that the Commissioners as scandalous persons should be excluded from the Assembly; and the party, though devoted to Presbytery in the abstract,[1] allowed themselves great latitude as members of a Presbyterian Church. It was a strange thing that those, who had been foremost in expelling their brethren from the ministry for refusing to preach in favour of the Engagement, should now be pleading against an absolute and unlimited subjection to Church courts, and that by forming rival presbyteries as well as a rival Commission, and by setting the synods at defiance, they should have revolted against a system of ecclesiastical government which they still asserted to be divine. If the bishops had been justly excommunicated for protesting against the Assembly of 1638 as "prelimited and prejudiced," how could they on the same principle protest against the Assembly of 1651? If the Covenant imposed by the former Assembly was binding, why not the Acts passed by the latter? And if ministers might now defy the censures of the Church, why had the Assembly of 1648 denounced excommunication against any deposed minister who should preach or meddle with his stipend? Such questions were continually being mooted in the pamphlets of the day; and as the Protesters could only reply in effect that the friends of the Covenant ought to enjoy greater freedom than its foes, their conduct contributed almost as

[1] "They seem to be for the thing in general, but not for submission to our Judicatures, in their present corrupt constitution of so many unfit members."—Baillie, iii. 300.

much as their extreme pretensions to facilitate that restoration of prelacy, from which they were soon to suffer.

The numerical weakness of the Protesters was counterbalanced to some extent by the favour shown to them as pronounced anti-Royalists by the English Government. The officials, whose business it was to allot stipends, seldom failed to sustain a call, however ill-supported, to a Protesting minister; and in 1654, at the instance of Gillespie and Livingstone, whom he had summoned to confer with him in London, Cromwell offered to put this small party in control of the Church. In August of that year an Ordinance was passed by the Council of State at Whitehall, requiring the Commissioners for visiting the Scottish Universities to take care that in presentation to livings "respect be had to the choice of the more sober and godly part of the people, although the same should not prove to be the greater part," and that no minister be admitted, who had not been certified by certain ministers and elders, or any four of them, nominated for each of five districts—all of these being Protesters with the exception of one or two Resolutioners and Independents —to be "of a holy and unblameable conversation, disposed to live peaceably under the present Government, and who for the grace of God in him and for his knowledge and utterance is able and fit to preach the Gospel." Tempting as this offer must have been, it was refused by the bulk of the Protesters, and strongly condemned by Warriston and Guthrie, as an encroachment by the State on the jurisdiction of the Church courts; and two years later, as most of the Provincial Certifyers had neglected or declined to act, the Council in Scotland was authorised to admit such

ministers as it should deem qualified according to the intention of the Ordinance.[1] In support of their schismatical presbyteries, however, the Protesters did not scruple to appeal to the civil power; and both before and after the Ordinance of August, 1654, instances occurred in which churches were literally burst open by English soldiers in order to make way for a "godly," but very unpopular, divine.[2]

In September, 1655, a Council of eight members was established at Edinburgh, with the amiable and accomplished Lord Broghill as President; and as little was now to be expected from the dissentients, Broghill set himself to conciliate the Church. In October, by consenting to withdraw an offensive proclamation, he induced the clergy as an act of grace to give up praying for the King—at all events, by name;[3] and in August of the following year, after long conference with the leading Resolutioners, he prevailed upon them to accept an amendment of the Ordinance of 1654, in virtue of which stipends were to be granted on the recommendation of the presbyteries, instead of on that of the Provincial Certifyers, and every minister before his admission was to subscribe

[1] *Act. Parl.* vi. ii. 761, 832.

[2] See the cases of intrusion mentioned by Baillie, iii. 247, 258, 283-284. One such scene is thus described: "The whole people of the parish meets, and keeps the other out of the kirk; the tumult begins; dry straikes are distributed; some fell upon the Sheriff's neck. The gentlemen-parishioners, so soon as the Sheriff produced his English orders for the admission, did cede; but the people continued all day casting stones and crying; yet they went on with their work, and thrust in the man."—p. 258.

[3] As a loyalist minister explained to Charles, the clergy continued to pray for him in such general terms "as the people who observe might find where to put in their shoulder and bear you up in public prayer." Firth's *Scotland and the Protectorate*, p. 322. See also Thurloe, vii. 416.

a declaration of his willingness to live peaceably and inoffensively under the Protectorate Government.[1] This scheme had been proposed with the full concurrence of Gillespie and Livingstone; but to the extreme section of the Protesters, as a direct recognition of the uncovenanted State, the Ordinance was even more obnoxious in its amended, than in its original, form. What recommended the scheme to the Resolutioners was the fact that it made no provision for subjecting the Church to the caprice of "the godly," for they knew that their opponents were still bent on that oligarchical design. During the conference of November, 1655, "notwithstanding of the corruption which is in the Church," the Protesters had proposed that a purging commission drawn equally from both sides should be appointed in each synod. This concession had naturally been refused by the majority to dissentients some four times less numerous than themselves; and the Protesters, having in vain petitioned the Council for permission to act as purgers in terms of their pretended Commission, were now addressing themselves privately to Cromwell. Lord Broghill was in some concern lest Guthrie and his friends, whom he regarded as "the bitterest enemies against the government in all Scotland," should succeed in overturning his scheme for the settlement of the Church; and in order to counteract their designs, he took care that James Sharp, a leading Resolutioner, should accompany him when he returned to London at the conclusion of his term of office, which he had stipulated should be only one year, in August, 1656. In October James Simpson, one of the ministers deposed by the Assembly

[1] Thurloe, iv. 56, 73, 558; v. 301.

in 1651, was sent up to represent the Protesters; and in the beginning of the next year Simpson was followed by the other two deposed ministers, Guthrie and Gillespie, as well as by three elders, including Warriston. Both parties were heard at great length, first by Cromwell himself, and then by a committee of ministers appointed to report to the Council; and after six months, supported by the English Presbyterians and opposed by the Independents, Sharp was able so far to baffle the Protesters that the Government declined to countenance their proposal of a joint commission for purging and planting in each synod. Parliament, indeed, was induced to renew the Act of Classes; but Sharp received private assurances that the Act "should do no harm."[1]

To balance this repulse in London, the Protesters could boast of no successes at home. In opposition to what was contemptuously called their "purging humour," most of the ministers deposed for refusing to condemn the Engagement, including Ramsay, Henry Guthrie, and Colville, had now been restored; and they complained that one Resolution-synod had readmitted more malignant ministers than all the synods of that persuasion had thrust out.[2] As we have seen, the party was divided into two sections, the respective heads of which were Patrick Gillespie and James Guthrie—the former a bustling practical man, on the best of terms with Cromwell, who had made him Principal of Glasgow University, and for whose welfare he was the first Scottish minister to

[1] Baillie, iii. 353-355; Row's *Blair*, 328-331. Burton (vii. 65) represents Sharp as procuring the Ordinance of August, 1654, which, as we have seen, was a concession to the opposite side.

[2] *Protesters no Subverters*, p. 87.

pray,[1] the latter a pure enthusiast for the Covenant, opposed alike to the Resolutioners, to Cromwell, and to Charles. Gillespie would gladly have made peace at the conference of November, 1655, the proceedings of which he reported daily to Lord Broghill; and in the following year Broghill wrote of Gillespie and Livingstone as so weary of the rigour and perversity of the Guthrie section "that I think they would close with any as soon as those."[2]

As the Restoration had its mainspring in England, only its principal antecedents need be mentioned here. Cromwell died on September 3, 1658, the anniversary of his triumphs at Dunbar and Worcester. His son Richard held office as Protector for nine months, towards the end of which period the army compelled him to dissolve his first Parliament and to restore the republican remnant of the Long Parliament, known as the Rump, which Cromwell had expelled in 1653. The Rump at once deposed Richard; and in October, elated with its success in putting down a Royalist rising in Cheshire, the army turned out the Rump. Monk then prepared to invade England in support of the civil power; and the army having marched north to meet him, the Rump was restored four days before he crossed the Tweed on the first of January, 1660. During his march south Monk was petitioned on all hands for a free Parliament; and on February 26, three weeks after his arrival in London, he induced the Rump to dissolve itself by adding to it the Presbyterian members extruded by Pride in 1648. Thus the Long Parliament came to an end; and the Convention Parliament, which met on April 25, at once resolved to recall the King. Charles landed at Dover on May 25.

[1] Nicoll, p. 162

[2] Thurloe, iv. 224, 557.

In Scotland as in England the Restoration was hailed everywhere with transports of joy. For the best part of eleven months—from the King's return to his coronation—the nation gave itself up to the wildest festivity and mirth; and Kirkton, whose dream of parochial piety was dissipated by the joyous event, declares that it "made people not only drunk but frantic."[1] Bells were rung and bonfires lighted, when it became known that the exiled King of Scots had been proclaimed at London. On June 19, the day of public thanksgiving at Edinburgh, magistrates and citizens drank the King's health at the Cross, the spouts of which ran claret, whilst bells, drums, and trumpets sounded, and the troops presented arms; 300 dozen of glasses were quaffed and broken in the streets, and from nightfall to midnight the city was alive with bonfires, fireworks, and madly cheering crowds.[2]

Charles's first public act with reference to Scotland was to issue a proclamation reviving the Committee of Estates appointed by Parliament in 1651; and that body met at Edinburgh on August 23. The Protesters had vainly invited the Resolution party to concur with them in an address to the throne; and on the very same day, whether by accident or design, a dozen of them, including Guthrie, assembled for this purpose in a private dwelling, "the next door almost" to the Parliament House. Here they proceeded to draw up a supplication, in which, after congratulating the King on his return, and deprecating the use of the Prayer-Book in his household, they reminded him of his obligation to prosecute the Covenant and to establish Presbytery throughout his dominions, and expressed their "desire to be persuaded" that time had not weakened

[1] Kirkton, p. 65. [2] Nicoll, p. 293.

his sense of that solemn oath, and "that amongst all the kings of the earth religion and reformation shall have no greater friend than your majesty." In answer to this paper Charles might very well have asked how these men could appeal to his good faith, who in their manifestoes had always denounced him as a Covenanter only in name.[1] The petition had been finished, and letters were being prepared recommending its subscription and convening a fuller meeting of the party at Glasgow in the following month, when the Committee of Estates, after three messages had been sent, to no purpose, requiring the petitioners to disperse,[2] ordered their papers to be seized, and all of them, save one who escaped, to be committed as prisoners to the Castle. Next day a proclamation appeared forbidding all unauthorised meetings without the King's special warrant; and on September 3 the Protesters were much prejudiced by a letter to the Presbytery of Edinburgh, in which Charles avowed his intention to discountenance all contemners and opposers of the ordinances of the Gospel, to preserve the government of the Church as settled by law, and to uphold the Acts of the controverted Assembly, 1651, till another Assembly should meet. The Committee were thus encouraged to apprehend other dissentient clergymen, including Gillespie and Simpson; and most of the lay leaders who

[1] "They insinuate the liking of his restoration, when these years past they have made it the burden of their song in public and private, that God had rejected the King and his family, as he had done Saul and his house; they take the impudence to press him in the petitory part of that petition, and to charge him with his coronation oath, when they have avowedly excepted against his being crowned as the great cause of God's wrath against the land."—Sharp to Lauderdale; *Lauderdale Papers*, i. 59.

[2] Lamont's *Diary*, p. 125; Row's *Blair*, p. 357. The messages must have been sent unofficially, as they are not mentioned in the Act of commitment.

escaped imprisonment were required to find caution that they disowned the Western Remonstrance, and should attempt nothing against the King and the public peace. The Synod of Lothian, which had already shaken off several intruded ministers, now shook off more; in the south and south-east not a few such were deposed; and the Synod of Merse and Teviotdale went so far as to write a letter to the Committee, thanking them for their late proceedings, and congratulating them on their piety and zeal.[1]

In terms of a royal proclamation, the trial of all persons concerned in the late troubles was referred to the Parliament which met on the first of January, 1661, Middleton—now Earl of Middleton—being the Lord High Commissioner. With the exception of Guthrie, the imprisoned petitioners were all released; Gillespie recanted, whilst Simpson and another minister were banished. Guthrie, having been tried and condemned for treason as the author of the Remonstrance, "the Causes of the Lord's Wrath," and the recent supplication, and also as refusing to answer for his sermons to the civil power, was executed on the first of June; and with him perished a certain Lieutenant Govan, cashiered for correspondence with the enemy in 1650,[2] who had brought the news of Charles I.'s execution to Scotland, and was believed to have been present on the scaffold. Argyll had suffered death on May 28; and Warriston, after lurking for two years in France, was executed in July, 1663.

[1] Wodrow's *History*, i. 66-79; Row's *Blair*, pp. 357, 367; Kirkton, p. 75.

[2] Govan was re-admitted to the western army by Colonel Kerr, was suspected of having warned General Lambert of that officer's intention to attack him at Hamilton, and subsequently, having joined the English, was excommunicated.—Baillie, iii. 122, 124, 317.

There can be little doubt that public opinion acquiesced in the justice of three at least of these executions; for Argyll had lost favour with all parties,[1] Guthrie had sacrificed the country to the Covenant, and the cruel and blood-stained Warriston had eventually betrayed both. After the battle of Worcester Argyll had conducted himself in a manner which accords only too well with his refusal to take part in that fatal, but not inglorious, campaign. During Glencairn's rising in the Highlands, 1653-1654, he repeatedly pledged himself to co-operate with Monk; and though his deeds fell so far short of his promises that Monk was provoked to exhibit the latter against him at his trial,[2] he did raise a force which the Government maintained for three months, and between which and the Royalists some trivial encounters took place. Warriston had long refused to acknowledge the Protectorate rule. In 1657, however, during his mission to London in opposition to Sharp, influenced, as he alleged, by the necessity of providing for his numerous family, he consented to resume his office of Lord Clerk-Register; he sat as a peer in the Parliaments both of Oliver and of Richard Cromwell, whilst Argyll sat in the Commons; the Rump made him one of a new Council of State; and, in the words of his indictment, he stepped "to the helm and government of all our three kingdoms" by becoming president of the Committee

[1] Baillie, in November, 1658, writes of Argyll as "no more drowned in debt than public hatred, almost of all, both Scottish and English."—iii. 387.

[2] On this subject see Mr. Firth's *Scotland and the Protectorate*, and his article on Monk in the *Dictionary of National Biography*. The letters which ensured Argyll's condemnation are printed in the *Sixth Report of the Historical Manuscripts Commission*. Though these letters were not confidential—one of them indeed being addressed to the General's secretary—Monk in producing them showed a very vindictive spirit.

of Safety set up by the army, when it had turned out the Rump. As Warriston sorrowfully admitted on the scaffold, these acts of his gave "no small occasion to the adversary to reproach and blaspheme." The Independents, after all, were Puritans like himself; but if he could thus dispense with his obligations to the Covenant, how was it that he had hunted so many of its opponents to death, and how could it be maintained that any mere doubt as to their sincerity in swearing or in prosecuting the Covenant ought to exclude the King himself and hundreds of his subjects from power.[1] It was Guthrie's great offence that no defection of a worthier kind than Warriston's could be charged against him. In his defences he was able to show that he had suffered a good deal for his opposition to Cromwell; but his seeming patriotism was well known to be a mere accident arising from the fact that Cromwell was no more of a Presbyterian than Charles. Had Guthrie cared anything for his country apart from the Covenant, he would not have preached against the ragged, shoeless, and half-starved regiments which held the pass of Stirling during the long winter of 1650-1651, he would not have employed English soldiers to intrude "godly" ministers, and he would not have hailed some sixty of his own parishioners before an alien bench of judges, because they had resisted his intrusion of a fanatical colleague.[2]

[1] Warriston died courageously enough; but at his first appearance before Parliament, whether or not from bodily weakness, he fairly broke down. "I must confess," wrote Lauderdale to Sir Robert Murray "I never saw so miserable a spectacle. I have often heard of a man feared out of his wits, but never saw it before; yet what he said was sense good enough, but he roared and cried, and expressed more fear than ever I saw."—*Lauderdale Papers*, i. 145.

[2] Baillie, iii. 283. Counsel for the accused violently attacked Guthrie, and the jury declined to convict.

The Parliament, which condemned Argyll and Guthrie, is more memorable for having effaced the whole political, and so far as recognised by statute, the whole religious, revolution. Almost the first thing it did was to extinguish its own freedom as a deliberative assembly by restoring the Lords of the Articles abolished in 1640; and by subsequent Acts the King was declared to have the sole power of appointing officers of state, Privy Councillors, and Lords of Session, of calling Parliaments, and of convening the subjects in arms. Holders of public office were required to take an oath of allegiance acknowledging the King to be "only supreme Governor of this kingdom over all persons and in all causes," and also to subscribe a declaration of the royal prerogative as contained in the Acts just mentioned. The Convention of Estates, 1643, which adopted the Solemn League and Covenant, the Act of January, 1646, for the surrender of the King, the Whiggamore Committee of Estates, 1648, and the Whiggamore Parliament, 1649, were all expressly annulled; and on March 28, as an act of oblivion—the King "being unwilling to take any advantage of the failings of his subjects during these unhappy times"—was passed the famous Act Recissory, the effect of which, as extended by the previous Act against the Whiggamores, was to cancel all legislation from 1633 to 1649, if not from 1633 to the current year.[1] This sweeping measure was offensive to moderate Presbyterians, and to all but

[1] The Parliament of 1650-1651 is not mentioned, and to have annulled this Parliament would have been to annul the Committee of Estates revived in the preceding August; yet, as is well pointed out in Brown's *Apologetical Relation*, p. 77 (*The Presbyterian's Armoury*, vol. iii.), the Parliament now sitting is called the first Parliament of Charles II.

fanatical Cavaliers,[1] since it annulled both the Parliament of 1641, in which Charles I. had presided in person, and the Engagement of 1648, which this present Parliament had declared to be "a most noble and pious testimony of the loyalty of his Majesty's good subjects of his ancient Kingdom." May 29, the anniversary of the King's birth and of his entry into London in 1660, was ordained to be for ever observed as a day of thanksgiving and recreation. The attainders of Montrose, Huntly, and other Royalists were reversed; and on May 11 the mutilated remains of the Great Marquis, collected from five several towns, were interred in St. Giles's Cathedral, "with a greater solemnity," says Baillie, "than any of our Kings ever had at their burial in Scotland."[2] Nevertheless, in their afternoon sittings, due, as Wodrow insinuates, to the depth of their nocturnal potations, these loyal legislators were not wholly without discretion. The Act re-establishing the Lords of the Articles provided that any petitions not presented by this Committee might be brought directly before Parliament, which to this end was to meet at least twice a week; the military prerogative of the Crown was limited by a proviso that the lieges should not be liable in expenses not voted in Parliament; and the Act Recissory was declared to be without prejudice to Acts passed "in favour of any particular persons for their civil and private interests."[3]

It may well excite our surprise that these riotous days of high festival and mirth should have been signalised by an outbreak of the witch-mania, of such virulence that it surpasses all former and all subsequent

[1] Mackenzie's *Memoirs of the Affairs of Scotland*, pp. 28-29.

[2] Baillie, iii. 466.

[3] *Act. Parl.* vii. 10-87.

records; and the fact can be accounted for only on the assumption that a great number of supposed witches had accumulated, owing to the reluctance of the English officials, during a period of nine years, to put such creatures to death. The English officials, indeed, had not been altogether idle, as many as five and nine women having been burned at a single execution; yet, of sixty persons accused at one circuit in 1652, not one was condemned; and Baillie, writing of witchcraft towards the end of 1659, says, "The English be but too sparing to try it, yet some they execute."[1] On the re-establishment of the old machinery of government in 1661, this negligence was soon repaired. The Restoration Parliament, true to the most hateful of Whiggamore precedents, issued twelve commissions for the trial of witchcraft from May 3 to June 13, two of which contained nine names; on June 25 three justices depute were required to repair once a week at least to Musselburgh and Dalkeith for the purpose of trying witches;[2] and the persecution was carried on with great vigour by the Privy Council, which met for the first time on July 13. An Englishman, who visited Scotland in August, says that 120 witches were believed to have suffered about that time; and in January, 1662, thirteen commissions were issued by the Council in one day. In the course of that year, however, the panic began to abate. Kincaid, the notorious witch-pricker, for various unauthorised barbarities was thrown into prison; and though as many as twelve commissions were issued on May 12, torture was forbidden, and care was to be taken that persons confessing voluntarily were of sound mind.[3]

[1] Baillie, iii. 436. [2] *Act. Parl.* vii. appendix, p. 78.

[3] Chambers's *Domestic Annals*, ii. 220, 277-278, 285.

The Act Recissory deprived Presbyterianism of all civil sanction; and on the same day, March 28, an Act was passed, in which the King declared his resolution to maintain the reformed religion as established by his father and grandfather, to settle the government of the Church in such a way as should be most agreeable to monarchical rule and the public peace, and meanwhile, notwithstanding the Act Recissory, to allow the present administration by sessions, presbyteries, and synods. Several of the synods would have protested against these Acts at their spring meeting, had they not been dissolved in the King's name; and the worst fears were soon realised. The Presbytery of Edinburgh had been so much delighted with the royal letter promising to maintain the government of the Church "as it is settled by law"[1] that they had caused it to be enshrined in a silver box;[2] and on September 6, when a proclamation was issued announcing the King's intention to restore bishops in terms of this letter and the Act Recissory, they found that the promise had been kept to their ear and broken to their hope.

This wretched fraud was ascribed to a person of more pretensions to piety than Charles—with what justice a slight retrospect will enable us to judge. We have seen how successfully James Sharp had discharged his mission to London against the Protesters in 1656-1657. In 1659 he was again in London with a view to counteracting the influence of Warriston as a peer of Richard Cromwell's Parliament; and at Monk's request, seconded by the anxiety of his brethren to secure the Presbyterian interest in the event of the King's restoration, he was sent up a third time in February, 1660. Although his written instructions referred only to Scotland, Sharp was

[1] See p. 177. [2] Kirkton, p. 76.

expected to do his best that Presbytery should be established throughout the three kingdoms; and before leaving London on May 4 to visit the King at Breda, he more than once assured Douglas, his principal correspondent, that this object, at least, was not likely to be attained. Douglas, however, was unwilling to despair of the Presbyterian cause in England, though he could give no good account of its prospects at home. He admitted that a new generation had sprung up, which condemned the late revolution, bore a "heart-hatred" to the Covenant, and regretted extremely that it should have been revived—as it had been, after the admission of the secluded members—by the Long Parliament. "The generality of this new upstart generation," he wrote on April 26, "have no love to presbyterial government, but are wearied of that yoke, feeding themselves with the fancy of episcopacy, or moderate episcopacy."[1] Douglas must have been aware that Presbytery had another class of enemies, or at least of very doubtful friends, in the bulk of the original Episcopalian clergy, for whose expulsion as lukewarm or disaffected the Protesters had never ceased to clamour; and amongst these, on a general retrospect of his career, he might have included Sharp himself. Born at Banff in 1618, educated at Aberdeen under the famous doctors, and resident for several years in England, where he made the acquaintance of Jeremy Taylor and other Anglican divines, Sharp can hardly have been much of a Puritan in his youth; and though, on his return to Scotland about 1641, he obtained a professorship at St. Andrews, and in 1648 became minister of Crail, he took no prominent part in ecclesiastical politics till we find him a leader of the Resolutioners in 1651. That such

[1] Wodrow, i. 15-16, 21.

a man should have become a bishop is no more surprising than that ten other ministers of similar antecedents should also have become bishops; but Sharp, as the ablest diplomatist available, though not the most zealous, had been chosen to defend Presbyterianism at Court; and there can be little doubt that he grossly betrayed his trust.

The first thing that shook Douglas's confidence in Sharp was a letter from Holland, in which he referred in terms of praise to so rigid an Anglican as Hyde, afterwards Earl of Clarendon.[1] According to Burnet, when Sharp arrived at Breda, he brought a letter from Glencairn to Hyde, recommending him as the fittest person to undertake the restoration of Episcopacy in Scotland; and with such duplicity did he prosecute this scheme on his return to London that, when Middleton taxed him with having pledged the King's word to preserve the government of the Church as settled by law, he defended himself on the ground "that something must be done for quieting the presbyterians, who were beginning to take the alarm," and that the King would be released from his promise as soon as the Acts in their favour were repealed.[2] It may, indeed, be objected that Burnet, when he wrote his *History*, had personal reasons for disliking Sharp, who had threatened on one occasion to deprive, if not to excommunicate him, that in 1660 he was only seventeen years of age, and that his information must have been collected at a time when the worst construction was put on Sharp's actions owing to the suspected presbyter having become a bishop. Burnet's *History*, however, in so far as it relates to Scotland, is most strikingly corroborated in many points of detail by the writings of Wodrow, Kirkton, and Row;

[1] Douglas's own account in Wodrow, i. 28. [2] *Own Time*, i. 199-201.

and though we have no positive proof of his statements with regard to Sharp, we have very strong presumptive proof in a series of Sharp's letters from December, 1660, to April, 1661—most of them addressed to Patrick Drummond, a London minister in the confidence of Lauderdale, and two of them to Lauderdale himself. The writer of these letters avows his resolution to sink or swim with his "dearest Lord," Middleton's rival and an enemy to bishops, as "the person alive who has obliged me most"; he deprecates a change in the government of the Church, and says he can hear nothing of any such design. After a while, however, his confidence gives way. He professes to be much scandalised by the Act Recissory, and takes God to witness that this Act was as much of a surprise to him as it could be to Drummond;[1] he now finds that Parliament is quite hostile to Presbytery, but trusts that the leading ministers will stand firm; he foresees persecutions for conscience' sake, in which he would be very loath to have a hand; and finally, whilst expressing his determination to retire amongst his books, he drops these significant hints, that "it is all one to me to live under a regulated presbytery or under a presbyterian presidency," and that he fears the Church must choose between Erastianism of the worst kind and "constant commissioners, moderators, or Bishops."[2] The last of these letters was written on April 15. On the 29th, after writing to Baillie that he foresaw the interpretation

[1] "He had expressed a great concern to his old brethren when the Act Recissory passed, and acted that part very solemnly for some days."—Burnet, i. 217.

[2] *Lauderdale Papers*, edited by Mr. Osmund Airy, i. 41-94. "Person of Flisk," on page 45, is probably not a pseudonym, as the editor supposes, but a common spelling of *parson*. The parson of Fliske in 1569 was Sir James Balfour.—Calderwood, ii. 505.

that would be put on his journey, but that it was "not in order to a change of the Church,"[1] Sharp set out for London; and on May 21 we find him informing Middleton what had been determined between himself and Clarendon as to the restoration of Episcopacy, and with reference to the late proceedings in Parliament, which had shocked him so much, congratulating the Commissioner on having laid a foundation "for a superstructure which will render your name precious to the succeeding generations."[2] When we know more of Lauderdale, we shall find that he hated, not lies, indeed, but "damned insipid lies"; and in this respect at least Sharp would seem to have been at one with his "dearest Lord."

Sharp, as Archbishop of St. Andrews, was one of four prelates consecrated in London on December 15; and on January 9, 1662, a proclamation was published, suspending the meetings of Church courts till they should be authorised by the bishops. On May 27, during the second session of Parliament, the "ancient and sacred order," as it is called in the Act of restitution, was fully restored, and various statutes of a kindred character were also passed. The National Covenant, the Solemn League and Covenant, and the Assembly of 1638 were condemned as unlawful, and it was made treason to preach or write against the King's prerogative and ecclesiastical supremacy or against episcopal government; ministers, who refused

[1] Baillie, iii. 460.

[2] *Archaeologia Scotica*, ii. 103-107; Sharp to Middleton, May 21, 166—. The letter was evidently written in 1661. The writer refers to a letter of his "dated in January"—in the midst of his correspondence with Drummond—which on Middleton's recommendation had been "made use of" at Court. The interview described by Sharp was with Clarendon, not, as Burton says, with the King.

to attend the diocesan synods or to observe the anniversary of the King's birth and restoration,[1] were to be deprived; and all persons in public trust were required to sign a declaration renouncing the two Covenants and affirming that they judged it unlawful on any pretext to take up arms against the King. The Act of 1649 abolishing patronage, so grossly abused by the Protesters, was amongst the rescinded Acts. The intrusion scandals, common enough during the interregnum, had been a strange commentary on the abolition of patronage as "prejudicial to the liberty of the people"; and in one of his pamphlets we find Guthrie objecting to the concessions offered by the Resolutioners at the conference of 1655 on this amongst other grounds, that they "hold forth no remedy for the grievance of the Protesting brethren and of the Godly throughout the Land in the matter of planting congregations upon the call of the plurality in parishes, many of which are ignorant and disaffected and malignant."[2] Unfortunately, having revived patronage, the Estates now ignored its suspension. On June 11, all benefices, to which appointments had been made under the statute of 1649, were declared vacant, subject to a proviso in favour of ministers who before September 20 should be presented by the lawful patron and collated by the bishop; and patrons were required to grant presentation to all who should apply for it. In the previous session the taking of the oath of allegiance had been made a condition of

[1] The Presbyterians objected to this, because they recognised no holy-day but the Sabbath, and because the preamble of the Act reflected severely on what they called "the work of reformation."—Brown's *Apologetical Relation*, pp. 55-56.

[2] *Protesters no Subverters*, p. 90.

presentation; and Parliament thus committed itself to an attempt to force patronage, Erastianism, and Episcopacy on a generation which had been taught to believe in the injustice of the first of these things, and in the extreme iniquity of the other two.[1]

Formidable as the task was, it had no terrors for Middleton. In September that gallant veteran made a progress through the west, partly "to divert himself" after the labours of the session, and partly to enforce the episcopal laws where they were least likely to be obeyed. When he came to Glasgow he found that, though the great bulk of the western clergy were legally in need of presentation,[2] very few of them had applied for it; and at a more than usually convivial meeting of the Privy Council on October 1 a proclamation was issued, requiring all ministers admitted since March, 1649, who had allowed the 20th of September to pass without obtaining presentation and collation, as well as ministers who had not observed the 29th of May, to desist from preaching, to remove out of their parishes before the first of November, and not to reside within their respective presbyteries.[3] This highly Erastian edict met with a prompter and more general obedience than the Government either expected or desired. There were no offers of submission, and no signs of a disposition to resist. In Galloway, for some unexplained reason, the proclamation was practically ignored; but elsewhere very many ministers immediately resigned, and over large tracts of country in Clydesdale

[1] *Act. Parl.* vii. 372, 376, 377, 379, 405.

[2] The large number of ministers affected by the statute is explained by the fact that it referred to all translations, as well as to all admissions, since 1649.

[3] Wodrow, i. 282-283.

and Ayrshire pulpits were silenced and churches closed. Middleton, cursing the folly of "these mad fellows," stood aghast at the havoc he had wrought; and Sharp told Burnet that he never imagined "so rash a thing could have been done, till he saw it in print." Sharp's intention had been to suspend the Act of June 11 over the heads of the clergy, and to execute it against individuals when and how he should think fit; and the nonconformists, suspecting his design, hoped to embarrass the hierarchy, and perhaps to procure their own recall by throwing vacant, in one part of the country, so many churches at once.[1] Middleton did what he could to repair his error; and at the instance of the bishops an Act of Council was passed on December 23, allowing ministers, whose places had not been filled, to apply for presentation and collation up to the first of February, 1663, and at the same time confining to their parishes those who had wilfully absented themselves from the autumn synods.[2] The respite thus offered was taken advantage of only by a few; and many of the older ministers were suspended in March, 1663, for not attending the synods, and in the March following, deprived.

Of all purgings to which the Church of Scotland had yet been subjected, this was undoubtedly the most severe. A few facts will enable us to realise the ravages it made. The worst sufferers were, of course, the Protesters, whose territory in the south-west, from the Solway to the Clyde, if not from the Solway to Loch Fyne, was almost literally swept bare, and also the flower of the Resolution clergy in the counties of Lothian and Fife. In the Synod of Galloway all the ministers were deprived except one, or at most three; and of 130

[1] Burnet, i. 274-278; Kirkton, pp. 148-152. [2] Wodrow, i. 285-286.

ministers in the Synod of Glasgow and Ayr, the largest in the Church, only thirty-five retained their cures, eight of these being in the Presbytery of Dumbarton. Thirteen ministers were deprived in the Presbytery of Edinburgh, including all the ministers of the city except three;[1] eleven in the Presbytery of St. Andrews, eight in that of Biggar, an outpost of the Protesters, and five in the respective Presbyteries of Cupar, Linlithgow and Dalkeith.

With these exceptions—not to mention the districts north of the Tay, in which nearly the whole clergy conformed—instances of deposition in the east were comparatively rare. Only two ministers were deprived in the respective Presbyteries of Dunfermline, Chirnside, and Kelso,[2] one in those of Kirkcaldy, Peebles, Dunbar and Haddington, and none in those of Duns, Auchterarder, and Dunblane. The Presbyterians, however, were more numerous than these figures might lead one to suppose, for now, as almost always under bishops in Scotland—to their honour, be it said—it was one thing not to conform, and another thing to be deposed. Of nonconformists who had been admitted to the livings they now held before the abolition of patronage, many were merely confined to their parishes; and a considerable number—for example, ten in the combined Presbyteries of Biggar, Peebles, Dalkeith, and Haddington—were placed under no restriction at all. Of the

[1] Robert Laurie of the Tron was popularly known as the "nest-egg," because he was the only minister of the City proper who conformed. Taking Edinburgh in a wider sense, however, we may include Nairn of the Canongate Church, and Reid of St. Cuthbert's. The other conformists in the Presbytery were the ministers of Duddingston, Liberton, Colinton, and Currie. Five charges appear to have been vacant.

[2] Wodrow includes here two ministers deposed by the Synod as early as 1660.

thirty-five ministers who retained their livings in the Synod of Glasgow and Ayr, it is doubtful whether so many as seventeen conformed.[1]

The episcopate, so suddenly revived in 1662, had been established at the beginning of the century in an entirely different manner. The ecclesiastical reforms directed by James VI. had extended over a dozen years, they had been carried out with the full concurrence of the Church, and their object had been to superimpose on the Presbyterian organisation certain officials recognised first as Commissioners of Assembly, then as Constant Moderators, and finally as Bishops. To the

[1] When Douglas complained that "scarce a nonconformist is at his charge" (Wodrow, i. 262), he did not remember that not a single nonconformist had been tolerated after the triumph of Presbytery in 1638. With regard to the total number of nonconformists deprived, Wodrow reckons them at "near four hundred," Burnet at 350, and Brown at "the third part of the ministry of Scotland," *i.e.* at about 300. The last of these estimates, though excessive, is the nearest to the truth, as will appear from the following table compiled with great care from Scot's *Fasti Ecclesiae Scoticanae.*

Ministers deprived, 1660-1666, exclusive only of the few Protesters deposed as such by Resolution Synods:

Synod of Glasgow and Ayr, 87.
Synod of Galloway, 34.
Synod of Lothian and Tweeddale, 34.
Synod of Dumfries, 31.
Synod of Merse and Teviotdale, 20.
Synod of Fife, 19.
Synod of Argyll, 14.
Synod of Perth and Stirling, 11.
Synod of Angus and Mearns, 6.
Synod of Aberdeen, 6.
Other Synods, 9.
Total, 271.

Ministers deprived by Parliament before the restoration of Episcopacy, none of whom, in all likelihood, would have conformed, are included in this total. On the other hand, it would be unreasonable to include as Wodrow does, ministers rejected by the Church itself, whilst still Presbyterian.

work thus gradually and thoroughly done by his grandfather Charles II. served himself heir on the assumption borne out by the Act Recissory that it had never been legally repealed; and the Act restoring Episcopacy might very well proceed on a recital that the suspension of that government had caused disorders in the Church, and had prejudiced the royal prerogative, the authority of Parliament, and the liberty of the subject. The Covenanted Presbytery had been reared and maintained in opposition to the Crown; in 1648 it had not only defied the civil power, but had charged its adherents on pain of damnation not to sign the bond appointed to be subscribed by Parliament in defence of its own Acts; and a grosser violation of individual freedom than the Act of Classes it would be difficult to conceive. Such excesses may have been a good argument for going back to the ecclesiastical laws of James VI.; but these laws, as revived in 1662, were extended in point of form and grossly violated in spirit. The proclamation of January 9, suspending the meetings of Church courts, till they should be authorised by the bishops, was entirely opposed to the idea of the old episcopate as supplimenting rather than subverting the Presbyterian system; and on this ground the nonconformists maintained with good reason that they could not attend the diocesan synods, as many of their predecessors had not scrupled to do, because the right of these courts to exist, with or without bishops, was now at an end. This proclamation, almost as disastrous in its results as the Act of Council at Glasgow, is said to have been issued on no advice but that of Sharp; and he it was who framed the Act restoring Episcopacy, which went so far beyond the similar Act of

1612, that it annulled all ecclesiastical jurisdiction which was not derived from the King and administered by his delegates, the bishops.

Apart, however, from these particular objections, it cannot be said that the Restoration settlement was either just or wise. If the Church, as a whole, had continued to maintain the Whiggamore principles of 1649, she would have forfeited all claim to a voice in the settlement of her affairs; but it was a poor reward for the loyalty, patriotism, and good sense which had been shown by at least two-thirds of the clergy in the interval between the battles of Dunbar and Worcester, that they should not even be consulted as to the revival of an ecclesiastical system, which, however good in itself, had been perverted by Archbishop Laud, and for a quarter of a century had been not only dead, but abjured. Douglas, in pleading for a General Assembly, had maintained that its proceedings would show how well Presbyterianism could consist with monarchy; and as Sharp wrote to Middleton in the confidential letter already quoted, "I am sorry if Mr. Douglas, after such professions made to your Grace, shall disappoint your expectations," we may assume that he was not lying when he expressed his belief that "the best of our ministers, who are known to be fixed for Presbyterian Government, are disposed to yield more in Church matters to the King than before to any of his Royal progenitors since our Reformation from Popery."[1] It was not the most influential part of the nation, however, and not by any means the whole of the clergy that was "known to be fixed for Presbyterian Government." The upper classes, the nobles especially, were weary of the old discipline; Douglas,

[1] Sharp to Drummond, Dec. 13, 1660: *Lauderdale Papers*, i. 49.

as we have seen, admitted the craving of the younger generation for some form of episcopal rule; and a petition pointing in this direction was actually presented to Parliament, after the passing of the Act Recissory, by the Synod of Aberdeen. In these circumstances, had the Church been allowed to choose for herself, a non-political Presbytery anticipating that of the Revolution, would either have maintained itself, with the allowance doubtless of a good many of the Protesters, or more probably, under Government pressure and the influence of public opinion, it would gradually have been moulded, as in the days of James VI., into a prelatical form. Middleton's confidant, Primrose, is said to have formed a scheme for the restoration of Episcopacy, which would have been the work of seven years;[1] but, though Charles could probably have been induced to sanction such a scheme, it could have succeeded only in more competent hands than those of Middleton and Sharp.

In 1660 the Montrose or Cavalier party in Scotland was practically extinct; and the Restoration Government was drawn mainly from the Hamilton or Engagement party—the Earl of Middleton being Lord High Commissioner, the Earl of Glencairn Chancellor,[2] the Earl of Crawford Treasurer, and the Earl of Lauderdale, Charles's personal friend, Secretary of State. Of these four, Middleton and Glencairn had thrown themselves heart and soul into Hyde's schemes for the restoration of the Scottish hierarchy; Crawford remained staunchly Presbyterian; and Lauderdale, whatever may have been his religious opinions, was on bad terms with both

[1] Burnet, i. 265.

[2] Mr. Osmund Airy, in his life of Lauderdale in the *Dictionary of National Biography*, makes a serious mistake when he counts Middleton and Glencairn amongst the Cavaliers as opposed to the Engagers.

Middleton and Hyde, who had conspired to keep him out of the Secretaryship, and extremely jealous of English interference in Scotland. Lauderdale, indeed, appears to have championed Presbytery as much as he dared to a King who had counselled him "to let that go, for it was not a religion for gentlemen";[1] and when Middleton, after the Act Recissory had been passed, urged the re-establishment of bishops, both he and Crawford vainly exhorted Charles, before sanctioning such a step, to call a General Assembly, or at all events to consult the provincial synods. Middleton, whilst acting as Commissioner in Scotland, had thus an enemy at the King's ear, who never failed to aggravate his many follies and mistakes; and in order to get rid of this rival he resorted to various expedients, which in the long run reacted fatally against himself. One of these was the Act requiring office-holders to renounce the National Covenant and the Solemn League. This Act caused the resignation of the zealous and upright Crawford;[2] but it had so little effect on Lauderdale that he laughed at the simplicity of his enemies, and said that "he would sign a cartful of such oaths before he would lose his place."[3]

Middleton then fell upon another and more audacious scheme. In June, 1662, as an exception to the Act of Indemnity, which with a view to intimidating the Presbyterians had not yet been passed, Charles was induced

[1] Burnet, i. 197.

[2] The Earl of Crawford was the Lord Lindsay, who with Montrose in 1639 had exerted himself "body and soul" against the proposal to abolish the spiritual estate without compensation to the Crown. In 1647, as President of the Parliament, he vehemently denounced the Act for the surrender of the King, and consented to sign it only under protest.

[3] Mackenzie, p. 54.

to consent to the exclusion from public office of any twelve persons whom Parliament should suggest. At the instance of Sir George Mackenzie, known by his forensic title of Lord Tarbet, who had negotiated this business at Court, it was then proposed that every member of Parliament, anonymously and in a feigned hand, should write out a billet of a dozen names, that the billets should be examined by a committee, and that this committee, without divulging the results of its scrutiny, should insert in the Act of exclusion—for it was to be a separate Act—the names of the twelve persons against whom they should have found the largest number of votes. Parliament, in whose eagerness for the measure Charles had been led to believe, was deluded into accepting it as the desire of the King; and as Middleton's agents professed to know whom in particular the King desired to exclude, they so influenced the voting that Lauderdale and his confidant, Sir Robert Murray, were amongst the proscribed twelve.[1] In spite of the vigilance of his enemies, who had secured every stage of the road between Edinburgh and Durham, Lauderdale received private notice of this affair three days before Tarbet and the Duke of Richmond, who was also Duke of Lennox, were able to announce it at Court; and he had thus sufficient time to make the worst of a proceeding which Charles resented as a personal affront, and which even Clarendon did not venture to defend. When the Commissioner came up to London after the festivities and evictions of his western tour, he was called upon to answer his rival on a series of charges,

[1] Mackenzie and Burnet say that Crawford also was billeted; but it appears from the *Lauderdale Papers*, i. 147, that his enemies spared him, knowing that "the declaration (against the Covenants) would do his turn."

the chief of which was that he had given the royal assent to several Acts, particularly to an Act depriving the Crown of its servants without consulting the King; and whilst preparing his defence, which, with the connivance of friends ready to intercede for him, he protracted as long as he could, he was betrayed into an indiscretion which completed his disgrace. Charles had been induced by Lauderdale to send down a proclamation suspending the execution of an Act by which about 700 persons excepted from the Act of Indemnity had been heavily fined; and this proclamation, whether with the King's verbal consent or on the assurance of such consent conveyed to him by Clarendon, Middleton ventured to recall. Charles, when this came to his ears, was highly offended, declaring that his consent had neither been given nor asked; and in March, 1663, after the Council at Edinburgh had been directed anew to issue the proclamation, Middleton was deprived of his office as Lord High Commissioner.[1]

With the dismissal of Middleton, the Restoration as a reconstructive era in Church and State may be regarded as coming to an end. It would have been better for the reputation of "this valiant unhappy man," as Kirkton calls him, if he had rested content with his military laurels and had not attempted to win distinction in the political field. The heir of an ancient but impoverished house and originally a pikeman in one of the Scottish regiments in France, he had risen to be a lieutenant-general in the army of the English Parliament; he had been second in command against Montrose at Philiphaugh, had commanded the

[1] Mackenzie, pp. 67-113; Burnet, i. 265-274, 365-369. After living for some years in retirement, Middleton was made Governor of Tangiers, and died there in 1671.

Scottish cavalry at Preston and Worcester, and in 1654 had headed the last Royalist revolt. Sir George Mackenzie of Rosehaugh, after describing him as "by his heroic aspect marked out for great things," says that he was "more pitied after his fall than envied in his prosperity";[1] and one can well believe that Scotsmen retained a kindness for the man who had so ably defended the rear in that nightmare of bloodshed, confusion, mud, and rain which constituted the retreat from Preston.

[1] *Memoirs*, pp. 6, 7.

CHAPTER XIX.

THE PENTLAND RISING, 1663-1667.

For all but a fraction of the nineteen years of life which remained to him after he had supplanted his rival in 1663, John Maitland, second Earl of Lauderdale, was virtually prime minister of Scotland. As a Covenanter during the late civil war he had far exceeded the usual aristocratic type. On August 17, 1643, when the Solemn League and Covenant was passing through the Assembly, instead of merely voting when his name was called, as other members were content to do, he had drawn attention to the fact that on the same day, four years earlier, an Act had passed in the Assembly for the abolition of Episcopacy in the Scottish Church, and that an Act was now being passed for its abolition in the Church of England.[1] He had been one of the Commissioners appointed to present the Solemn League and Covenant to the English Parliament, with Cassillis and Warriston, one of three lay elders sent to the Westminster Assembly, and in 1644 a member of the Committee of both Kingdoms. Lauderdale, however, had inherited qualities which could not fail to temper his religious zeal. Born at Lethington in 1616, grand-

[1] Guthrie's *Memoirs*, p. 119.

son of the first Lord Maitland of Thirlestane and grand-nephew of Queen Mary's great minister, he had the strong personal ambition as well as the literary tastes which had characterised both of these statesmen, and in a crude form, the ardent patriotism which had been so conspicuous in the second. An accomplished Latin scholar, he had studied Greek, Hebrew, Italian, and French, and was deeply versed in theological and historical works.[1] His zeal for the Covenant was probably little more than his desire to see Scotland in religion as in politics dictating to her more powerful neighbour. In 1646, in the Committee of both Kingdoms, he had vehemently denounced the pretensions of the English Parliament to dispose of the King without reference to Scotland. At Carisbrooke in December, 1647, he had been one of the three Commissioners who procured from Charles a secret document subsidiary to the Engagement, providing that Scotsmen should be employed equally with Englishmen in foreign negotiations, that Scotsmen should be admitted to the English, and Englishmen in equal number to the Scottish, Privy Council, that a third part of the royal household should consist of Scotsmen, and that the King and Prince of Wales should reside in Scotland as frequently as possible.[2] In 1648, when Hamilton's army was marching to its doom, we find him writing to a friend, "It is Scotland, and Scotland only, can save the King and England. All others have their rise from the expecta-

[1] Burnet, i. 186. In July, 1663, we find him asking Sir Robert Murray to send him his "little octavo Hebrew Bible."—*Lauderdale Papers*, i. 157. His house at Highgate threatened to fall owing to the weight of books in the top storey.—*Ibid.* ii. 203. Ranke calls him "one of the most learned ministers who have ever lived."—*History of England*, iii. 520.

[2] *Lauderdale Papers*, i. 2.

tion of Scotland."[1] After the Restoration he exerted himself to procure the removal of those "badges of our slavery," the English garrisons;[2] and he made it a chief object of his policy to exclude Englishmen from all share in the management of Scottish affairs.

It is only in a very debased form, however, blurred and vulgarised almost beyond recognition, that we can detect in Lauderdale the image of his illustrious house. He had the elder Maitland's indomitable Scottish pride and something of his buoyant humour, but none of his imperial prescience, his high enthusiasm, his deftness of touch, his capacity of devotion to a losing cause; and he was content merely to cringe, where his grandfather, the Chancellor of James VI., in the midst of jealous rivals, had aspired to command, as well as to obey. Lauderdale, in fact, was a palace minion rather than a minister of state, Charles's boon companion, as well as the obsequious vizeer to whom, as he himself said, his master's commands were "above all human laws";[3] and Middleton was probably not too severe on the character of his rival's influence at Court, when "he said he would scorn to be pimp to any prince in Europe."[4] Burnet, in a well-known passage, has described Lauderdale as tall and ungainly in person, with red, odd-looking hair, and a tongue too big for his mouth, rough and boisterous in manner, subject to violent fits of passion, impatient of contradiction and advice, at once imperious and servile, and in the Duke of Buckingham's phrase, "of a blundering understanding."[5]

Lauderdale, however, chiefly owing to the part he

[1] Gardiner's *Great Civil War*, iii. 417. [2] *Lauderdale Papers*, i. 160.
[3] *Lauderdale Papers*, ii. 141. "Vizeer" is Mr. Osmund Airy's word.
[4] Kirkton, p. 159. [5] Burnet, i. 186.

had played against Middleton, was the centre of a group of moderate men, whose character and aims were much superior to his own; and his administration, if we leave out its first nine months, falls naturally into three divisions: first, a period of three years, from the establishment of the High Commission in January, 1664, to the suppression of the Pentland Rising at the end of 1666, during which his influence was eclipsed by that of the Clarendon or High Church party in both kingdoms; secondly, a period of six years, 1667-1672, during which he attempted to carry out a policy of conciliation; and thirdly, a period of violence and repression.

In his contest with Middleton, Lauderdale had been supported by the Earl of Rothes, President of the Council, the King's personal friend and his own; and, as he himself could not decently preside over a Parliament in which the billeting scheme was to be exposed and annulled, he persuaded Charles to make Rothes Commissioner in place of Middleton, and Treasurer in place of Crawford. Lauderdale now set himself to show how completely they had mistaken his character who had supposed that an opponent of the Anglican and Cavalier interest could not, as the King's minister, do as much to promote it as any of its friends. On his arrival with Rothes at Holyrood on June 15, 1663—Sir Robert Murray as Secretary-depute having been left behind to represent him at Court—he produced a royal letter admitting the Archbishops of St. Andrews and Glasgow to the Privy Council. When Parliament met, three days later, the Commissioner procured an Act reviving the old method of electing the Lords of the Articles, which gave the nomination of that committee ostensibly to the bishops, in reality to the King. On July 10 an Act was passed ratifying the ecclesiastical statutes of the preceding

session, requiring the Council to proceed against recusant and nonconformist ministers, and fining according to their rank all persons who should wilfully and habitually absent themselves on Sunday "from the ordinary meetings of divine worship in their own parish church."[1] Writing to Murray with reference to this Act, which he himself supported in a speech more useful to the bishops—so they told him—than the Act itself, Lauderdale expressed a hope that the King "shall by it see we will not fail in the trust he puts in us as to Church affairs, but that our endeavours shall be more effectual than any [that] have been yet used." Murray was able to assure him that the King and Archbishop Sheldon were equally delighted with the Act, that his speech was to be printed, and that those who had been most ready to suspect him, now acknowledged their mistake.[2] Sheldon was probably less pleased than Charles, who could not say enough in its praise, with an Act of August 21, ratifying a royal declaration with regard to a national synod, which determined the constitution of such a court, and decreed that it should consider only "such pious matters" as the Primate should lay before it at the bidding of the King. On September 9, after a tedious inquiry into all the details of Middleton's plot, the Act for excluding persons from public trust, and the Act for proceeding therein by billets were, both of them, repealed and expugned.[3]

Lauderdale, having thus initiated Rothes into his duties as Commissioner, returned to London in October,

[1] The Act says nothing of conventicles, and was passed before the English Conventicle Act, on which Mr. Airy says it was "fashioned." There are a good many such slips in Mr. Airy's notes to the *Lauderdale Papers*, which, however, it seems almost ungrateful to mention in the case of a writer who has done so much to illustrate the history of the reign.

[2] *Lauderdale Papers*, i. 155, 162. [3] *Act Parl.* vii. 447, 455, 465, 471.

1663. Rothes, son of the famous Covenanter, was a man of no small ability, wholly illiterate indeed, but shrewd and energetic, as affable and genial as his father, and quite as immoral—a failing which he excused on the ground "that the King's Commissioner ought to represent his person"—and though a prodigious drinker, hardly ever drunk. Burnet, in one of the suppressed passages of his *History*, describes him as so "unhappily made for drunkenness" that, though seldom really intoxicated, and always quite himself again after an hour or two's sleep, "he drank all his friends dead, and was able to subdue two or three sets of drunkards, one after another."[1] Charles II., too much of an epicurean to indulge habitually in such a vice, thought it necessary on one occasion to rebuke the Commissioner, as on another occasion he rebuked the Duke of Hamilton for his excessive drinking; and Rothes, in reply to this charge, relying on his invincible sobriety, made the very handsome offer—"If any mortal will say they have seen me in disorder I shall give them my estate, I mean since I was in this station."[2]

With a view to making good the ravages caused by the Act of Glasgow, the surplus Episcopacy of the north was now being drafted into the empty, but for such fare by no means hungry, south. During the winter of 1662-1663 the northern shires had been laid under a sort of conscription "to levy a crew of young curates"—a conscription so strict that a gentleman of these parts is said to have cursed the nonconformists for creating such a demand for parsons that he could not get a lad to herd his cows.[3] In March, 1663, the

[1] Burnet, i. 188, 382.

[2] *Lauderdale Papers*, i. 219.

[3] Kirkton, p. 160. The gentleman, doubtless, was joking, though Kirkton takes him seriously enough.

ministers of Galloway—the only ministers in the west who had disregarded the Act of Glasgow—were turned out almost to a man; and soon afterwards the new incumbents, whom the peasantry insisted on calling curates, began to arrive. Utterly unlike the Whiggamore divines, in whose place they stood, coming from what was almost a foreign country, and intruded on a people too fanatical, if not too ignorant, to have any regard for truth, had these men been as zealous and blameless as the Apostle Paul, they would not have escaped reproach. So large a force of clergy, however, recruited from so limited an area in so short a time, must necessarily have been of very unequal merit; and whatever may have been the original character of the "curates," in an atmosphere of hatred, contempt, and ridicule it was more likely to deteriorate than to improve. Burnet denounces them as the worst preachers he ever heard, a disgrace to their order, "the dreg and refuse of the northern parts";[1] and in his pamphlet of 1673 dedicated to Lauderdale, whilst defending them as a body against the imputation of gross faults, he has little to say in their praise.[2] The new incumbents,

[1] *Own Time*, i. 284. Leighton, as Archbishop of Glasgow, writing to Lauderdale in 1672, says: "The negligent indifferent throwing in upon them any that came to hand was the great cause of all the disquiet that hath arisen in these parts, filling all places with almost as much precipitancy as was used in making them empty."—*Lauderdale Papers*, ii. 225. The Earl of Perth in 1685 wrote to Archbishop Sancroft: "So soon as we get the length of putting the universities in order . . . I hope a few years will give us a better clergy, for at present we are undone by the want of such."—Clarke's *Letters of Scottish Prelates to Archbishop Sancroft*, p. 77—a work edited in a perfect frenzy of High Church Jacobitism.

[2] *Vindication of the Authority, Constitution, and Laws of the Church and State of Scotland*, p. 281. Burnet has been much blamed for the extravagant dedication of this work; but it must be borne in mind that Lauderdale had long been, and in 1673 had not quite ceased to be, the hope of the moderate party.

however, had little scope for the exercise of spiritual gifts; for, though few of the Presbyterians hesitated to hear conformist ministers, they were nearly unanimous in refusing to hear ministers whose predecessors had been deposed. It was to combat this scruple, applicable as it was to so many Whiggamore congregations, that Lauderdale procured the statute of July 10, 1663, against non-attendance at Church. On August 13, anticipating the English Five Mile Act, a proclamation was issued which prohibited deposed ministers from residing within twenty miles of their former cures, within six miles of Edinburgh or any cathedral, and within three miles of any royal burgh; and on December 7, 1665, when this edict was renewed and enlarged, a proclamation, corresponding to the English Conventicle Act, forbade all unauthorised meetings for worship. In October of the following year heads of households, landlords, and magistrates were declared liable to the penalties incurred by nonconformists under their charge, whom they should fail to denounce.[1] By such forcible arguments the great mass of the Whiggamore laity were induced to conform; and the churches, previously almost empty, were once more decently filled.[2]

In certain districts, however, sustained by those "bangster Amazons," who had been its earliest as they were its latest champions, the spirit of the Covenant was not so easily suppressed. In the spring of 1663, at Irongray near Dumfries, when the new incumbent returned with an escort of soldiers, after an unsuccessful attempt to take possession of his cure, the women of the parish beat him off with

[1] Wodrow, i, 428, 430; ii. 15; Row's *Blair*, p. 447.

[2] Kirkton, pp. 164, 221.

volleys of stones; and a similar disturbance having taken place soon afterwards at Kirkcudbright, commissioners were despatched by the Privy Council, with a detachment of the King's Guards, to inquire into the origin of these riots.[1] In September of that year Sir James Turner was ordered to Kirkcudbright with some additional troops, in consequence of a nonconformist minister having made forcible entry into the vacant church of Anwoth; and in 1665, on his return from a second visit to Galloway, he was sent into Ayrshire with orders to make a general seizure of arms.[2] Conventicles in that district had lately become common, and the Government, rendered nervous by its own severities and the outbreak of the Dutch war, was in daily dread of another Whiggamore Raid. From Ayr to Jedburgh the country was indeed seething with discontent—a fact which Rothes ascribed mainly to the influence exercised by certain deprived ministers over their female devotees. "These rogues stir up the women, so as they are worse than devils, yea I dare say, if it were not for the women, we should have little trouble with conventicles[3] or such kind of stuff, but there are such a foolish generation of people in this country who are so influenced with their fanatic wives as I think will bring ruin upon them."[4]

It is necessary at this point to say something of a new influence in Scottish politics by which that of Lauderdale had been temporarily overborne. Much as he had sacrificed to win their support, the Cavaliers

[1] Wodrow, i. 364. [2] Turner's *Memoirs*, pp. 139-141.

[3] According to the Earl of Tweeddale, "Most of all that were at these rendezvouses catched violent colds, in so much as they may be tried and found out by coughing."—*Quarterly Review*, April, 1884.

[4] Rothes to Lauderdale, Nov. 24, 1665: *Lauderdale Papers*, i. 234.

and High Churchmen were not satisfied with Lauderdale, partly because he was known to be still a Presbyterian at heart, partly because the moderate party both in Church and State looked to him as to its natural head. In January, 1664, during a visit to London, Sharp induced the King to set up a court of ecclesiastical commission; and at the same time, as Primate and Metropolitan, he was empowered to take precedence of the Chancellor and all other Scottish subjects. On the death of Glencairn in May of that year he privately incited his friends to recommend him for the Chancellorship; and both he and Archbishop Burnet of Glasgow made extraordinary exertions so to dispose of that office that it should be kept out of the hands of those whom they called "the late professing converts." It appeared, however, that Charles was in no haste to appoint a new Chancellor; and the two archbishops then set themselves to bribe and flatter Rothes—with such success that they were soon in a position to assure Sheldon that the Commissioner made it "his chiefest care to procure obedience and respect to our order." Nevertheless, though countenanced by Rothes, the work of persecution was sadly hampered by certain "great ones . . . rotten at the heart," who contended "for nice formalities of law"; and it was a great relief to its advocates when the policy of repression received a fresh impetus through the outbreak of the war with Holland. The archbishops—Burnet especially—were convinced that, in the event of a reverse at sea, the Whiggamores would immediately rush to arms. In the autumn of 1665 Burnet procured a royal letter to the Privy Council, requiring them to secure a dozen of the leading Protesters, to pro-

ceed against all who refused the oath of allegiance, and to take care that the statutory fines were assessed in full on all who would not take both that oath and the declaration against the Covenant. In the previous year he had suggested that the excise duty should be applied to the raising of a small military force; and, with his approval, Sharp now proposed that such a force should be raised out of the statutory fines. The impoverished Cavaliers, for whose relief the fines had been imposed, were rather taken aback by this suggestion, which Charles immediately approved; but, as most of them received commissions in the army promising much plunder as well as regular pay, their discontent was speedily allayed. Two tried soldiers, Dalyell and Drummond, who had fought at Worcester and had seen service of a much rougher kind in Russia, were appointed respectively to the first and the second command; and the officers, as a body, were so much after Archbishop Burnet's own heart that he described them as "persons of very great integrity and worth."[1]

In November, 1666, this highly episcopal army, consisting of 3,000 foot and eight troops of horse, was ready to take the field; and in the same month, Sir James Turner having been sent into Nithsdale and a third time into Galloway, the long-expected rebellion did at last break out. Turner on this occasion had to collect, not only the usual fines for absence from church, but also the much heavier fines imposed by Parliament as an exception to the Act of Indemnity. These, as we have seen, had been suspended after Middleton's disgrace; but the time had now expired,

[1] *Lauderdale Papers*, ii. appendix, pp. 3, 4, 6, 12, 17, 20, 26, 32, 37; Burnet, i. 389.

during which, at the suggestion of Archbishop Burnet, they were to have been paid in full by all who should refuse to take the oath of allegiance and the declaration against the Covenants, and by those who should consent, to the amount of one half.[1] A veteran of the Thirty Years' War, though highly cultivated and, in Wodrow's phrase, "very bookish," Turner was not the man to execute such a task in any but the readiest way. From the report of a committee of the Privy Council appointed after the suppression of the revolt to inquire into his conduct—a report, it is true, founded solely on the depositions of sufferers, it appears that he billeted his soldiers on recalcitrant householders; that, besides free quarters for men actually billeted, he exacted quarter-money for many more; that he imposed fines and quarterings without previous citation; that he fined law-abiding persons either without cause or for former delinquencies extending over several years; that he fined whole parishes promiscuously, in some of which there was no minister. Turner denied several of these charges; and for others, which he admitted, he alleged his instructions, which, unhappily for him, the rebels had seized, but which, he tells us, they acknowledged to warrant far more severity than any he had used.[2]

On November 15, 1666, when Sir James, with no more than thirteen soldiers at hand, was lying ill at Dumfries, he was surprised and taken prisoner by a body of Whigs,[3] whose action, whatever may have been

[1] Wodrow, i. 426.

[2] Turner's *Memoirs*, pp. 207-217.

[3] This contraction of *Whiggamore* had now become general. The epithet *Tory*, in its political sense, seems to have been first applied to those who supported Glencairn's rising against Cromwell in 1653. —Baillie, iii. 255.

its immediate cause,[1] was no doubt the outcome of his own extortion and that of his troops. From Dumfries, taking Turner with them, the insurgents marched to Ayr. At Lanark, about 3,000 strong, they renewed the Covenant; and hoping to be joined by the Protesters of West Lothian, they then advanced to Bathgate. Neither at Bathgate, however, nor further east would their friends do anything but "fast and pray for them in secret." The weather was deplorable—cold, stormy, and wet;[2] and having lost half their force in a night march to Colinton, three miles from Edinburgh, "faint, weary, half-drowned, half-starved," they had begun to fall back on Biggar, a Protester stronghold on the border of Lanark and Peebles, when on the 28th, at Rullion Green in the Pentlands, they were overtaken by Dalyell, who having sighted them near Lanark on the 22nd, had been marching steadily at their heels. Here, in the twilight of a winter afternoon, these last defenders of the

[1] The rising certainly originated in the parish of Dalry, where one of Turner's soldiers was pistolled in the stomach with the fragments of a tobacco pipe.—See Kirkton, and the wounded man's petition to the Privy Council in Sharpe's note, p. 230. The insurgents gave out (*Naphtali*, p. 137) that they had been provoked by seeing an old man bound "hand and foot like a beast," because he could not pay his fine. Burnet, however, says that, having read all the evidence taken on the spot by the committee of inquiry, he could find no mention of this outrage.—*Own Time*, i. 428-429. In the previous July, indeed, a plot had been formed in concurrence with the Dutch Government to seize the Castles of Edinburgh, Dumbarton, and Stirling; but the rising in Galloway does not seem to have been the outcome of that design.—M'Crie's *Memoirs of Veitch and Brysson*, pp. 36, note, 377-379. Sir Robert Murray, writing to Lauderdale on July 1, 1667, says, "The more I enquire, the less appearance I find that there was a formed design of rebellion."—*Lauderdale Papers*, ii. 15.

[2] "It was remarkable that from the day of the insurrection to the day of their breaking, there was not a fair day, but storm and rain.' —Law's *Memorials*, p. 17.

Covenant were speedily overpowered, though Turner, who was still their prisoner, admits that "the rebels, for their number, fought desperately enough." Humanity as well as darkness tempered the pursuit; but the vanquished received little sympathy in those eastern districts where the cruelties and absurdities of Whiggamore rule had made an impression too deep to be soon effaced. Edinburgh had risen almost as one man, when the insurgents approached the city; the Lothian militia had made a night attack on their quarters at Colinton; and the peasantry, more cruel than the King's troops, apprehended about thirty of the fugitives, and killed or ill-treated many more.[1]

The wretched Government, whose blundering violence had provoked this rising, could not fail to punish it with the utmost rigour. Rothes bid Lauderdale remember that, in his opinion, "these people"—not only the "damned fools" who had taken arms, but most of those who would not renounce the Covenant—"will never be quiet till they be totally ruined." Archbishop Burnet, for some mysterious reason, held the rebels to be more formidable now that they had been dispersed than when they "were marching in a body"; and he complained that "most are for extenuating and excusing their crimes." General Dalyell, astonished that men of loyal professions should be "so mercifully inclined to that damned crew," expressed his conviction that the

[1] Turner, pp. 149-189; Wallace's Narrative in M'Crie's *Veitch and Brysson*; *Naphtali*, pp. 137-145; Kirkton, pp. 229-254; *Lauderdale Papers*, i. 248-251. With the exception of a short account of the battle furnished by an eye-witness, Wodrow's narrative, as usual, is merely a bad paraphrase of Kirkton—a much superior writer. For example, Kirkton has, "Not an advocate almost, but he is in his bandileers," and Wodrow, "Scarce an advocate but is armed cap-a-pee." The insurgents told Turner that they had thirty-two ministers with them.—p. 169.

west would never be settled "without the inhabitants be removed or destroyed"; and eight months later—a few weeks after this ruffian had declared that the rebels ought simply to be taken out and hanged—Burnet commended him as "the only person that ever I saw fit to curb the insolences of that surly party," and said: "If his counsel had been followed, I am confident this kingdom had by this time been in a very happy and quiet condition."[1] The punishment meted out to the rebels was, however, severe enough, though it failed to satisfy the Archbishop of Glasgow. Eighteen of the prisoners were hanged at Edinburgh, two of these having been tortured in the "boots"; seven were hanged at Ayr, four at Glasgow, two at Irvine, two at Dumfries; and most of the remainder were banished to Barbadoes.[2]

Up to this point Lauderdale had forborne to curb his mutinous underlings in Scotland, partly owing to the delicacy of his position as chief of "the late professing converts," partly because he had too mean an opinion of the archbishops not to feel sure that they would ruin themselves without any assistance from him. In the summer of 1666, when Sharp ventured to complain of him to the King, on the ground that his friends were always "pleading for favour to the fanatics," he had forced him to retract his words; and soon afterwards Sharp offended Rothes, who had no wish to quarrel openly with Lauderdale, by attempting to promote a reconciliation between him and Middleton.[3] In January, 1667, when a Convention of Estates was about to meet, Edinburgh resounded with the news that the

[1] So completely mistaken was Bishop Keith, when he represented Burnet as the advocate of clemency.—See his *Catalogue of Scottish Bishops*, edited by Russell, p. 266.

[2] *Lauderdale Papers*, i. 255, 263, 266; ii. 11, appendix, pp. 42, 43, 48.

[3] Burnet, i. 386-387.

Primate, who had presided over such an assembly in 1665, was now to be superseded by the Duke of Hamilton; and Rothes wrote of the former as "strangely cast down, yea, lower than the dust."[1] Clarendon's power in England and the power of the High Church party in both kingdoms were now waning fast; in April Gilbert Burnet, the historian, received notice from Court that there was to be a change both of men and measures; and in June Sir Robert Murray arrived at Edinburgh to inaugurate the proposed reform.

Murray's letters during the next few weeks present a vivid picture of Scotland under the incubus of clerical and martial misrule. He warns Lauderdale not to believe all the wild stories that reach him of riot and insurrection, most of these being concocted in order to prove the necessity of a large military force. Rothes had confessed to him that "he liked sogers above all other ways of living"; and Dalyell had been heard to swear that "the sword shall govern who will, who will not." The general badness of the administration was something that to be realised must be seen—like the ruins of London after the Fire. The King's rents had been madly squandered; the country was being fleeced and ill-used by the new troops, of whose exactions it was worse than useless to complain; and such good care was being taken of the original corps of Guards that certain districts were assigned for their maintenance at the beginning of each quarter—a mode of paying troops which Murray believed to have been unexampled since the days of Republican Rome. The ecclesiastics of all grades were in the wildest possible mood; and the drunken crew at Holyrood had been guilty of some

[1] The King required Sharp to confine himself to his diocese, and not to come to Edinburgh.—Burnet, i. 438.

things that "are not to be thought of but with utmost horror."[1]

In the task entrusted to him Murray derived considerable assistance from Sharp, who had been so completely cowed by Lauderdale that he had deserted his brother archbishop and was "already more for lenity and softness than we." After the dismissal of Clarendon, however, in August, 1667, his satellites in Scotland could not hope to retain their power, and two months later the Government was completely recast. Rothes, much to his disgust, was saddled with the vacant Chancellorship, no one being appointed in his place as Lord High Commissioner; the Treasury, which Rothes had also held, was placed in a commission of Lauderdale's friends; the army was disbanded, except two troops of lifeguards and eight companies of foot; and a general amnesty—with some sixty exceptions, however—was granted to all persons concerned in the rebellion, who should promise on oath not to bear arms against the King. In place of this bond of peace, as it was called, the Church party had vainly urged the renunciation of the Covenant. In the following year Sir James Turner was deprived of his commission as lieutenant-colonel, and Sir William Ballantyne, a much worse offender, was fined and banished.[2]

[1] *Lauderdale Papers*, i. 269; ii. 14, 19, 20, 31, 36.

[2] Wodrow, ii. 82, 90-105.

CHAPTER XX.

THE LEIGHTON GROUP, 1667-1674.

Having thus overthrown the Church party which distrusted and feared him, Lauderdale looked for support to his moderate friends; and the administration formed in the autumn of 1667 was naturally a great improvement on the last. Its principal members, subordinate to Lauderdale himself, were Sir Robert Murray and the Earls of Kincardine and Tweeddale. Murray and Kincardine had long been united in the closest friendship; and the letters which passed between them before the Restoration—or rather Murray's letters to Kincardine, which alone have been preserved—bear witness to such wide and varied culture as had not been enlisted in the service of the Scottish Crown since the death of Lord Menmuir—"for natural judgment and learning the greatest light of the policy and counsel of Scotland." Murray had escaped to the Continent after the failure of the last Royalist revolt; and in these charming letters we see him gaily at work in the little sitting-room at Maestricht, which he had converted into a chemical laboratory, exulting in the invention of an instrument for measuring pulses or in the fineness of his scales which "the 1024 part of a grain will turn," discussing medicine, chemistry, anatomy, literature,

gardening, or heraldry with his friend, consoling, amusing, and prescribing for him during an attack of ague, advising him how to make pumps for his submarine coal-mines, how to transport carp for his ponds, or where the rarest books are to be bought; and only in one passage, where the exile alludes to his "three fiddles hanging" idle on the wall, do we find a touch of sadness: "For to tell you truly, I am not much for cultivating of music, till God send me days of joy and mirth, if at least he hath marked out any such for us. Nor do I mean to take them to myself till he give them to others and me both."[1] After the Restoration Murray took the lead in the formation of the Royal Society, which elected him as its first president; Charles II. in 1672 caused him to be interred in Westminster Abbey; Wodrow and Burnet unite in extolling him, and the latter, in a glowing eulogy, describes him as "the most universally beloved and esteemed by men of all sides and sorts of any man I have ever known in my whole life."[2]

Kincardine, also a member of the Royal Society, was hardly inferior to his friend in personal worth and in enthusiasm for literature and science. He had refused to concur in the re-establishment of Episcopacy without an appeal to the Church, being the only Privy Councillor who opposed the Act of Council of 1661, and the only peer who voted against the Act of Parliament of 1662, for the restoration of bishops;[3] and in 1665 we find

[1] See Mr. Osmund Airy's delightful account of these letters in the *Scottish Review* for January, 1885.

[2] *Own Time*, i. 109. The President of the Royal Society, however, would hardly have been flattered by Burnet's remark that "he had gone through the easy parts of mathematics."

[3] Mackenzie's *Memoirs*, p. 59; Sharp to Kincardine, November 22, 1665, in Stephen's *Life of Sharp*, p. 317.

him warmly remonstrating with Sharp for having complained of him to the King, because he had attended a communion held by a tolerated nonconformist in the next parish to his own. Tweeddale was much less brilliant than either Kincardine or Murray; but he was a man of high character and enlightened views, consistent only in his love of moderation, and as to forms of government, quite of Pope's opinion, "Whate'er is best administered is best." He had joined Charles I. at Nottingham in 1642, had fought against him at Marston Moor, and for him at Preston, where he commanded the East Lothian regiment, had sat in Cromwell's Parliament of 1654, and had been one of a committee chosen to receive the Protector's answer to a petition that he should assume the Crown. After the Restoration he both spoke and voted against the condemnation of James Guthrie; and having added to this offence by advocating delay in the restoration of Episcopacy, he was imprisoned for some time in Edinburgh Castle.

In their efforts to ameliorate the condition of the Church Lauderdale's lieutenants were supported by a small group of generous and large-hearted divines, pre-eminent amongst whom was Bishop Leighton of Dunblane.

Robert Leighton was the elder son of that Alexander Leighton, who for his scurrilous book against prelacy had been so barbarously punished by the Star Chamber. He was born in 1611, probably at Edinburgh, where he graduated Master of Arts in his twenty-first year; and having lived for some time on the Continent, chiefly in France, he was presented to the living of Newbattle by the Earl of Lothian in 1641. At his ordination, if not

before, he must have signed the National Covenant, with its exhaustive execration of all things distinctive of Papists, though he afterwards admitted that even then he "had no scruple in anything which they did";[1] in 1643 he signed the much worse Solemn League and Covenant; and in 1648, in common with several other ministers who afterwards became bishops, he was placed in a dilemma through the action of the Commission of Assembly in issuing a declaration against the Engagement. Leighton caused the declaration to be read by the precentor, excusing himself on account of the lowness of his voice—which indeed was very weak—aggravated by a severe cold; but despite Burnet's assertion that he supported the Engagement, he must have given full satisfaction to the dominant party, for he was elected, much against his will, to the ensuing Assembly, and he was one of a commission appointed by the Synod of Lothian to make inquiry whether any of its members had acceded to the Engagement or to the "divisive supplication." In 1652 he was sent by the Synod to London to plead for the release of the Scottish prisoners; and during this mission he probably applied to Cromwell for the vacant Principalship of Edinburgh University, the appointment to which by the Town Council of William Colville, a minister deposed for his assent to the Engagement, had just been vetoed by the English judges. At all events, in February, 1653, Leighton resigned his parochial cure in order to become Principal; and it is significant that the ministers of Edinburgh declined to concur in his election, "because they were not satisfied with the manner of the call." He based his resignation on the ground that his strength was not equal to so great a

[1] Brodie's *Diary*, p. 221.

charge,[1] and that he could not make himself heard by half his audience; but in 1653 he confessed to a friend that the intolerance of the Church courts had been such "these many years past, that he had loathed them, for the most part, and wearied of them."[2]

It is easier to understand than wholly to approve the motives which induced Leighton to sign the two Covenants, to concur in condemning the Engagement when many of his brethren were facing deposition in its defence, and to accept, if not to solicit, an academic appointment which had just been refused to one of these deposed loyalists, then an exile in Holland. He was a man in whom mind and spirit had almost parted company with flesh, who lived only in the eternal future, and who cared no more for the political interests which pleaded in favour of the Engagement than he sympathised with the fanaticism and intolerance which opposed it. Gilbert Burnet, describing his friend and patron as he appeared to him during an intimacy of twenty-two years, says that he only once betrayed the least sign of passion, that he never laughed and but seldom smiled, that he never uttered an idle word, that he talked almost constantly of religion, and that "he seemed to be in a perpetual meditation."[3] Leighton's habits of life, as he himself admitted, were those of a monk. He never married, he gave away all but a fraction of his income in

[1] The communicants at Newbattle on November 2, 1648, numbered about 900.—Scot's *Fasti*, i. 294.

[2] Brodie's *Diary*, p. 42; *Proceedings of the Society of Antiquaries of Scotland*, iv. 460-479; Grant's *Story of the University of Edinburgh*, ii. 247. Baillie says that Leighton was put in as Principal by the English judges; but he mentions elsewhere that Dickson, then Professor of Divinity, was active in his interest through fear of the post being given to James Guthrie.—*Letters*, iii. 244, 365.

[3] *Own Time*, i 243.

charity, he fasted three times a week,[1] he talked of being "condemned" to dine; and a story is told of him that, when Principal of the University of Edinburgh, he used often to retire with his Bible and some bread and ale, which he scarcely tasted, to a solitary chamber, telling his servant not to disturb him for forty-eight hours, and if he died before that time, to see that he had Christian burial.[2] This excessive indulgence, however, in what he termed "spiritual sensuality" was not suffered to interfere with the cultivation of great natural gifts. As a preacher, though the weakness of his voice unfitted him for a large audience, he was remarkable for a subtle pathos, rendered doubly impressive by a liquid beauty of utterance and a most unusual elevation both of manner and thought. Burnet mentions that he had often seen a whole congregation "melt in tears before him"; and a zealous Presbyterian said that, whilst listening to him at Newbattle, "he was as in heaven."[3] He had a very wide acquaintance with both classical and patristic literature; he was master of Greek and Hebrew, as well as of French, which he had learned to speak fluently during his residence abroad; and the excellence of his Latin won golden opinions even in that Latin-speaking age. As a writer of English, with a gift of copious, delicate, and exact expression, he stood absolutely alone in Scotland; and it has been remarked that in the middle of the seventeenth century his style is superior to that of Hume and Robertson a century later.[4]

[1] He made a point of fasting on Sunday—a practice which a High Churchman of the period denounces as introduced by "the pilots of the Leman Lake."—Gordon's *Reformed Bishop*, p. 12.

[2] Wodrow's *Analecta*, i. 274, 327. [3] *Ibid.*, ii. 348.

[4] Grant's *University of Edinburgh*, ii. 249.

Neither study nor contemplation, however, could reconcile Leighton to the intolerable burden of life. He loved to speak of himself as a prisoner pining for release, as one who lies awake in the darkness looking eagerly for day, as a tired wayfarer longing to be at his journey's end; and his friends remarked that, if ever his even temper rose into positive gaiety, it was when he happened to be ill.[1] This craving for death was due both to his weariness of ecclesiastical janglings, and to his vivid anticipation of eternal bliss. Nowhere perhaps but in Rutherford's letters do we find such an ecstasy of devotion as seems to have been habitual in Leighton. Rutherford, whose spiritual raptures were of the grossest and most indecent kind,[2] was both a very learned and an utterly uncultured man, fiercely dogmatic, the unblushing advocate of persecution, and capable of defining religious truth as "an indivisible line that hath no latitude." Leighton's piety, on the other hand, partaking of that holiness in its original sense of wholeness, which can alone make music in men's lives, was a flowing out of his entire being, in a narrow channel indeed, but with truly rhythmic cadence, towards the divine fulness and beauty; and the very intensity of his devotion disposed him to think lightly of the forms and dogmas of religion in comparison with its spirit. By suspicious or unfriendly critics he was represented as "almost altogether destitute of a doctrinal principle, being almost indifferent among all the professions that are called by the name of Christ"; [3] as inclined to Jesuitism and popery; as "lax in his principles anent the

[1] Pearson's Life prefixed to *Works*, p. cxlv.

[2] In proof of this, one need only refer to pp. 216, 466, 482, and 483 in the original edition of the *Letters*, published in 1664.

[3] Kirkton, p. 137.

divinity of Christ, and upon the matter an Arian";[1] as "never fixed in the point of Kirk government, counting it a thing indifferent whether it was Independency, Presbytery, or Episcopacy."[2] It is easy to account for these assertions, though the last only was approximately true. Leighton's mode of preaching, hortatory rather than argumentative—"a high romancing unscriptural style,"[3] as Baillie called it in 1653—was an innovation on the usual mode, which consisted in beating out a minimum of text into a maximum of doctrinal heads; and he had no sympathy with the jealous orthodoxy borrowed from Rome, which would not allow the Scriptures to be read before sermon "without a superadded discourse."[4] He seems to have talked even better than he wrote; and in what has been recorded of his conversation we find abundant evidence of his liberality of creed. "I prefer an erroneous honest man," he once said, "before the most orthodox knave in the world"; though a professed Calvinist, he spoke of election and predestination as "a great abyss into which I choose to sink rather than attempt to sound it"; and when pressed to say whether he believed in a temporal rule of the saints on earth, he replied: "If God hath appointed any such thing for us, he will give us heads to bear such liquor; our preferment shall not make us reel."[5]

[1] *Analecta*, i. 274. [2] Row's *Blair*, p. 398. [3] Baillie, iii. 258.

[4] "If the minister think fit to make his sermon for that time upon some part of what by himself or by his appointment hath been read, it may do well; and so much the better, the longer that be and the shorter the sermon be; for it is greatly to be suspected that our usual way of very short texts and very long sermons is apt to weary people more and profit them less. But whatsoever they do in this, they should beware of returning to their long expositions besides their sermon at one and the same meeting."—*Register of the Diocesan Synod of Dunblane*, October, 1666, p. 34.

[5] Pearson, pp. cxxxii., cxxxiv.

It is not surprising that an unmarried clergyman of ascetical habits, whose only brother had turned Papist, should have been suspected of an inclination towards Rome; but though he maintained that "there was as much for the sackcloth as for the surplice,"[1] and greatly shocked the Professor of Divinity at Edinburgh by recommending him to read Thomas à Kempis to his students,[2] Leighton never forgot that the intolerance of the Catholic Church was worse—infinitely worse—than that which he had witnessed in his own. He declared that "the greatest error among papists was their persecution and want of charity to us"; he would have granted full liberty of conscience, not to Catholics only, but to Anabaptists and Quakers; and he lamented that Protestants should so often have imitated those Roman inquisitors, who "fetched ladders from hell to scale heaven."[3] His sister once asked him, at the request of a friend, what he conceived to be the Beast in the Apocalypse, adding, "I told the enquirer that you would certainly answer you could not tell." "Truly," replied Leighton, "you said well; but, if I might fancy what it were, it would be something with a pair of horns that pusheth his neighbour, as hath been so much seen and practised in Church and State."[4]

[1] Brodie's *Diary*, p. 215.

[2] *Analecta*, iii. 452.

[3] The progress of Catholicism in England towards the end of Charles II.'s reign completely disabused Leighton of his partiality for Rome. "He was in his last years turned to a greater severity against popery than I had imagined a man of his temper and of his largeness in point of opinion was capable of. He spoke of the corruptions, of the secular spirit, and of the cruelty that appeared in that Church with an extraordinary concern; and lamented the shameful advances that we seemed to be making towards popery."—Burnet, ii. 437.

[4] Pearson, p. cxxxi.; Brodie's *Diary*, p. 221. In personal appearance Leighton was short and slender. The latent irony of some of his sayings enables us to understand what Kirkton calls "his shrug and grimace."

In 1661 Leighton happened to be in London on his way home from Bath, when at the instigation of his brother, Sir Elisha Leighton, secretary to the Duke of York, who is said to have recommended him as a Catholic at heart, the King "of his own proper motion" proposed to make him a bishop. Leighton tried hard to elude this offer; but, after having refused one of the greater sees, he consented—on receipt of a royal order requiring him on his allegiance to undertake the office, unless he thought it unlawful—to accept the bishopric of Dunblane, partly because it was both small and poor, and partly because as Dean of the Chapel Royal he would have an opportunity of prosecuting a perilous design to which he was much attached—the introduction of the Book of Common Prayer.[1]

In announcing his "capitulation," as he termed it, to his former patron, the Earl of Lothian, he said that one advantage of such a step would be that it would mortify him more thoroughly to popular favour, and to the esteem of many good people from whom he had long differed in opinion, though he had "judged it useless and impertinent to tell them so. And now," he continued, "I have truly a design of greater charity upon them than ever; 'tis to use all the little skill and strength I have to recall their zeal from all the little questions about rites and discipline to the great things of religion and of their souls, which in these debates are little or nothing concerned. And truly, if others engaged in the same employment use as little dominion and violence towards their brethren as I trust I shall do, the difference will not be so considerable as it is imagined. And my purpose is, God willing, to endeavour and persuade all I can that

[1] Burnet, i. 242, 248-249.

they may be in that of the same mind and practice with me."[1]

On this occasion, however, through his indifference to external rites, Leighton was guilty of an indiscretion —to use no harder term—which it is quite impossible to excuse. Of the four prelates whom it was proposed to consecrate in London, Fairfoul and Hamilton had been ordained by bishops before the fall of the hierarchy in 1638; but, as Sharp and Leighton had received Presbyterian ordination, the English prelates insisted that they should be re-ordained. In his unavailing protest against this indignity the Primate received little countenance from Leighton, who professed to regard the second ordination as "cumulative, not privative," and as a thing of so little moment that he was willing to be re-ordained, not once merely, but once a year.[2] As is pointed out by the best of Leighton's biographers, an Anglican of the most liberal and enlightened type, had the English prelates concurred in this view, Leighton could very well have justified his conduct—at all events to himself.[3] The English prelates, however, as Leighton very well knew, imagined that they were giving him something which he had hitherto been without; and thus, by countenancing the monstrous absurdity, which he entirely disbelieved, that there could be no valid ministry without bishops, he threw a fresh and most formidable obstacle in the way of that union of Episcopalians and Presbyterians which he was so anxious to promote.[4]

[1] *Ancram and Lothian Correspondence*, ii. 455. See also his letter to James Aird, afterwards minister of Torryburn, in Pearson, p. xlii.

[2] *Analecta*, i. 90. [3] Pearson, p. xlvii.

[4] The following is a good example of the common hallucination on this subject: "The clergy ought to be pre-eminently holy; but their

The high hopes, which had reconciled Leighton to his episcopal charge, were soon dispelled. He was shocked at the festivity—harmless enough, no doubt—which followed the consecration service in Westminster Abbey; Sharp would hardly listen to him, when he talked of conciliation and of ritualistic reform; and Fairfoul, "a pleasant and facetious man," met all advances on such topics with some "merry tale."[1] In January, 1662, the four bishops left London together in the Primate's coach; but at Morpeth, when he found that they meant to make a triumphal entry into Edinburgh, tired of them and believing that they were equally tired of him, Leighton went on in advance of his colleagues; and soon after his return he told Brodie that "he feared he should be disappointed in them he was to be joined with."[2] The other bishops were naturally offended at the singularity he affected in refusing to be addressed as "my lord"; and having resolved to take no part in general politics, he did not appear in Parliament till, towards the end of May, nine ministers were summoned before the Lords of the Articles and required to take

personal holiness is not so absolutely necessary as their *authoritative* qualification: that is, that they be duly sent or ordained by the imposition of the hands of a bishop."—Stephen's *Life and Times of Archbishop Sharp*, 1839, p. 199. The writer goes on to say that, not only do Presbyterian ministers profane the sacrament, but even their baptisms are "invalid and null." Sharp and his colleagues, however, were so far from re-baptising the Scottish people, that, with one exception, they did not even re-ordain the conforming clergy. Stephen's *Life of Sharp* is a most illiterate work, full of the grossest blunders. It contains, however, some original papers. In his *History of the Church of Scotland*, iii. 620, he comes to the conclusion—"a painful and a melancholy conclusion, but . . . justified by the premises"—that Presbyterians who wage "an exterminating war against the spouse of Christ"—and this, it seems, "the Scottish establishment" was doing in 1844—cannot enter Heaven.

[1] Burnet, i. 253-254.

[2] Brodie's *Diary*, p. 239.

the oath of allegiance, on which occasion he vainly argued that the ministers ought to be allowed to take the oath with an explanation that they acknowledged the King as supreme *civil* governor. Sharp inveighed against such a concession to "the weak scruples of peevish men"; and as the English Catholics took the oath in this sense, Leighton got little thanks from some of the Presbyterians themselves, who suspected that he supported them "from a Popish principle." On the following Sunday, after six of the recusants had been thrown into prison, he preached in such a way as to offend all the bishops who heard him.[1]

On September 15 the Bishop of Dunblane presided over the first meeting of his diocesan synod. He called no roll, and thus avoided all notice of the absentees, who are said to have been seven; he declared that members of the synod should have as full and free liberty of voting as they had ever had; and in beautiful words—words in which we seem to hear the murmur of the quiet river, by whose banks, under the grey Cathedral tower, he loved to walk and muse—he exhorted his hearers to strive with him "that we be meek and gentle, and lovers and exhorters of peace, private and public, among all ranks of men—endeavouring rather to quench than to increase the useless debates and contentions that abound in the world; and be always more studious of pacific than of polemic divinity, that certainly being much diviner than this, for the students of it are called the 'sons of God.'"[2]

We know almost nothing of Leighton's life during the next three years, except that he devoted himself to

[1] Row's *Blair*, pp. 409-410; Burnet, i. 256-262.

[2] *Register of Diocesan Synod of Dunblane*, p. 4; Row's *Blair*, pp. 426-427.

the duties of his diocese, and that he protested against a system of government which he utterly abhorred. After Rothes and the two archbishops had broken loose from Lauderdale's control, their violence became more than he could bear; and in October, 1665, just when the standing army was about to be raised, without consulting the Primate or any other bishop,[1] he took leave of his clergy, assigning as his reasons "the sense he had of his own unworthiness of so high a station in the Church, and his weariness of the contentions of this charge, which seemed rather to be growing than abating, and by their growth did make so great abatements of that Christian meekness and mutual charity which is so much more worth than the whole sum of all that was contended about."[2] Soon afterwards he went up to Court; and in tendering his resignation to the King he complained of the proceedings against the Presbyterians as so violent "that he could not concur in the planting of the Christian religion itself in such a manner, much less a form of government."[3] Charles would on no account permit him to resign; but he promised soon to adopt milder measures, and meanwhile he put an end to the ecclesiastical commission.

We have seen, however, that it was not till the summer of 1667, after the suppression and punishment of the Pentland Rising, that the moderate party came into power; and much as Murray and his friends desired to adopt a policy of conciliation, they were conscious of several obstacles in the way. They dreaded opposition on the part of the clergy; and they feared that the Presbyterians might be incited to fresh excesses through

[1] Archbishop Burnet to Sheldon, February 5, 1666; *Lauderdale Papers*, ii. appendix, p. 31.

[2] *Dunblane Diocesan Register*, p. 29.

[3] Burnet, i. 388.

the humiliation of their enemies, the prelates. In order to obviate both of these dangers, Murray suggested, as something "that would set him up and fix him for ever," that the King with his own hand should write a line or two of commendation to Archbishop Sharp; and Lauderdale must have applauded the wisdom of this device, when he received a letter from the Primate, thanking him in the most extravagant terms, and stating that "his majesty's hand with the diamond seal was to me as a resurrection from the dead."[1] Sharp exerted himself with great success to allay the fears of the clergy and to conciliate the Duke of Hamilton, one of the Church militant clique, whose territorial influence was predominant in the south-west; but neither Sharp nor anybody else could make a wise man of Archbishop Burnet. That foolish prelate, pouring out his soul in sorrowful effusions—"most whining discontent letters," Tweeddale called them—continued to be in "a great pet";[2] and he may well have said—for he said many things equally absurd—that "the gospel was banished out of his diocese that day the army was disbanded."[3]

Having thus, as they thought, secured the neutrality, if not the co-operation of Sharp, the Government proceeded to consider how they could best promote the public peace; and during the winter of 1667-1668 this question was fully discussed. The statesmen appear to have contemplated nothing more than a relaxation of the penal laws; but Leighton, their only confidant amongst the bishops, thought less of tolerating the Presbyterians than of inducing them to conform. He proposed that the Church should be administered

[1] *Lauderdale Papers*, ii. 105, 117. The King's note is printed in Stephen's *Sharp*, p. 364.

[2] *Lauderdale Papers*, ii. 105, 117.

[3] Kirkton, p. 269.

by diocesan synods presided over by the bishops without a negative voice; that ministers on attending these courts for the first time should be allowed to protest that they submitted to the bishop only for the sake of peace, and candidates for ordination that they regarded the bishop only as chief of the presbyters; and that provincial synods, with power to examine and censure bishops, should be held every third year. Leighton wished to open a conference with a view to obtaining an acceptance of these terms; but Kincardine objected that the Presbyterians "were a trifling sort of disputatious people," whose submission to a compromise was much more probable than their voluntary consent, and that the only way to make the concessions effectual would be to impose them as laws. Lauderdale would not accede to this suggestion, which Leighton fully approved. He said that the whole responsibility for such legislation would be laid on him; and that, in order to justify a measure which would be regarded in England as a pulling down of Episcopacy, he must be able to say that the Presbyterians, on this basis, had agreed to conform. Tweeddale, who had taken Murray's place in Scotland, agreed with Kincardine that a conference would do little good; and highly as he esteemed Leighton, he proposed an expedient very unfavourable to that scheme. House-conventicles had lately much increased owing to the disbanding of the army and its replacement by a militia[1] of little use for purposes of police; and in the

[1] In 1663, under Lauderdale's influence, the Scottish Parliament had offered the King an army of 20,000 foot and 2,000 horse "to be in readiness, as they shall be called for by his Majesty to march to any part of his dominions of Scotland, England, or Ireland."—*Act. Parl.* vii. 480. The militia, which replaced the small standing army, was raised by the Privy Council under the authority of this Act.

summer of 1668, jealous of the influence which their younger brethren had acquired over the Presbyterian laity, and finding their means of subsistence in consequence much reduced, many of the deprived ministers, who had hitherto abstained from such a practice, began to officiate in private houses. They took care not to preach during the hours of divine service, unless the parish church happened to be vacant; and on this condition they hoped to enjoy a liberty which was enjoyed through connivance by the nonconformists in England. On May 30 Tweeddale suggested as an experiment that some of these men might be allowed to officiate in selected parishes, where they could do little harm; and with this view he and Kincardine addressed themselves to Robert Douglas and another leading Resolutioner, Hutcheson. Leighton opposed this on the obvious ground that, if Presbyterians as such were re-admitted to livings, it would be difficult, if not impossible, to bring them to terms.[1] Neither Douglas nor Hutcheson, however, would agree to a condition, necessary for the protection of the Episcopalian clergy, that they should preach and administer the sacraments only to their own flocks; and at this point the negotiations were broken off owing to an attempt on the life of Archbishop Sharp, which resulted in the wounding of Bishop Honeyman of Orkney.[2]

In March of the following year conventicles were reported to be increasing everywhere throughout the west, not on Sundays only, but every day of the week; and Kincardine, whose sound maxim it was that toleration must be "given and not taken," was disposed

[1] Burnet's statement of his friend's opinion on this point is confirmed by Leighton himself.—*Lauderdale Papers*, ii. 225.

[2] Burnet, i. 503-508; *Lauderdale Papers*, ii. 103-109.

at first to take a serious view of this outbreak as a united effort on the part of the Presbyterians to assert their power. It soon appeared, however, that the alarm was caused by a few itinerant field-preachers opposed in interest as well as in principle to an indulgence in which they could not expect to share, and by the many moderate ministers who had begun to hold meetings for worship in their own dwellings.[1] On April 8, when some ten of these last appeared at Edinburgh to answer for their conduct, they besought the Council to deal with the King that the same indulgence might be granted to them as was enjoyed by Presbyterians in England and Ireland. Tweeddale soon afterwards went up to Court with a letter from Robert Douglas and others, couched in very loyal and submissive terms, to the same effect; and Gilbert Burnet, who had been sent into the west to make inquiries, having reported in favour of the scheme, Tweeddale returned in July with a royal letter to the Council, granting what is known as the first Indulgence. Deprived ministers, who had lived peaceably, were to be restored, at the discretion of the Council, to their own or to other vacant churches; unless they took collation from the bishop, they were not to draw the parochial stipend, but were to have the manse and glebe and such yearly maintenance out of the revenues of vacant livings as the Council should appoint; they were all to attend presbyteries and synods or be confined to their parishes; they were not to baptise, marry, or admit to the communion any but their own parishioners, and on proof of any seditious discourse were to be immediately turned out. It was also provided, though this clause took no effect, that peaceable ministers not appointed to churches

[1] *Lauderdale Papers*, ii. 125-133.

should have an annual allowance of 400 merks. Under this scheme, from July 27, 1669, to March 3, 1670, forty-two Presbyterian ministers were appointed to parochial cures.[1]

The effect of the Indulgence was to introduce a wedge of Erastian Presbyterianism into the heart of an Episcopal Church; and the bishops were naturally indignant that ministers who disowned their authority, and some of whom they had themselves deposed,[2] should be not merely tolerated, but supported out of ecclesiastical funds, by the civil power. Sharp persuaded Rothes to concur with him that no nonconformists should obtain churches in Fife; and Burnet, in whose diocese of Glasgow the experiment was chiefly to be made, expressed his displeasure in much bolder terms. In September, at their annual autumn synod, he and his clergy agreed upon a Remonstrance to be presented indifferently—if presented at all—to the other bishops, to the Privy Council or to Parliament, in which they expressed their "modest resentments" that so little was done to put down conventicles; that ministers whom they had censured with deposition—to "say little of others" deprived by the State—were not only admitted to preach, but illegally exempted from episcopal control; and that no effort had been made to promote "what might seem an Uniformity in the

[1] Wodrow, ii. 124-131; Burnet, i. 514. None of the indulged ministers conformed, but they were not confined to their parishes till after the failure of Leighton's "Accommodation" in January, 1671. In 1677 they obtained permission to draw their stipends, like other incumbents. They were popularly known as "Council-Curates"; but according to one account, this epithet was first bestowed upon them by Archbishop Sharp. —Vilant's Reply to Brown's *History of the Indulgence*, p. 510.

[2] The King's letter instituting the Indulgence referred only to ministers deprived by the Act of Glasgow; but the Council did not observe this distinction in appointing to vacant churches.

Church both for worship and discipline."[1] The Privy Council, hearing of these "resentments" of the Glasgow Synod, insisted on knowing what they were; and in the middle of October, having suppressed the Remonstrance as "a paper of a dangerous nature and consequence," they ordered Burnet to retire to Glasgow, and to remain there during the Parliament, which under Lauderdale himself as Commissioner was about to meet.[2] When the Remonstrance was received at Court, Sir Robert Murray talked of deposing and banishing "the archbishop and his whole synod, at least all that command in it"; and the King denounced the paper as showing that "Bishops and Episcopal people are as bad on this chapter as the most arrant Presbyterian or Remonstrator."[3]

The most irritating feature of the petition was doubtless its truth; for the Indulgence was distinctly opposed to the statute of 1662 restoring Episcopacy, which provided that all ecclesiastical power should be regulated by the bishops, and still more to another statute of that year, enacting that no one who had not been licensed by the ordinary should be allowed to preach. On the first Sunday after Burnet's disgrace Sharp preached a sermon to Parliament, in which he maintained that there were three pretenders to ecclesiastical supremacy, all of whose claims were equally invalid—the Pope, the King, and the Presbyterian General Assembly.[4] Sharp, however, was neither so conscientious nor so obstinate as his colleague; and on November 16, after excusing himself as best he could in "a long dark speech,"[5] he voted

[1] The Glasgow Remonstrance, which Wodrow had not seen, is printed in the appendix to vol. ii. of the *Lauderdale Papers*.

[2] Wodrow, ii. 143-144. [3] *Lauderdale Papers*, ii. 138-139.

[4] Mackenzie's *Memoirs*, p. 159; Row's *Blair*, p. 528. [5] Burnet, i. 521.

for an Act, the answer to his own sermon and to Burnet's Remonstrance, which annihilated all pretensions on the part of the Church to a jurisdiction independent of the Crown. This Act declared that the King "hath the supreme authority and supremacy over all persons and in all causes ecclesiastical within this his kingdom"; that he and his successors, as an inherent right of the Crown, might issue orders respecting the external government of the Church, the persons to be employed therein, ecclesiastical meetings, and all matters to be proposed and determined at such meetings; that these orders, when duly registered and published, should be obeyed by all the King's subjects; and that all laws and customs, civil or ecclesiastical, inconsistent with the royal supremacy, as thus asserted,[1] should be null and void.[2] This extravagant Act, so much more than was needed to legalise the Indulgence, was a severe blow to High Churchmen, Episcopal and Presbyterian; and we shall find that it was the first symptom of a change of policy which was to break up the moderate party, and to estrange from Lauderdale every one of his liberal friends. After such legislation, a refractory archbishop could expect nothing better than, in Mackenzie's curt phrase, to be "turned off"; and in December Burnet was compelled to resign his see.[3]

[1] The Act was known as the Assertory Act.

[2] *Act. Parl.* vii. 554. As Ranke points out, the Act "comprised the dispensing power."—*History of England*, iii. 509. Leighton was prevailed upon to vote for the Act, a compliance which he is said to have regretted as long as he lived.—Burnet, i. 521. An Act was also passed approving the action of the Council in raising the militia, and making further regulations for that force.—*Act. Parl.* vii. 554.

[3] For his resignation, dated December 24, see *Lauderdale Papers*, appendix to vol. ii. He received a pension of 300*l.*—Row's *Blair*, p. 536.

Alexander Burnet was the principal representative, after the Restoration, of the Laudian or Anglo-Catholic element in the Church of Scotland—an element which had never been assimilated, and was soon to be expelled. Like Laud's confidant, Wedderburn, a Scotsman promoted from an English living to a Scottish see, Burnet looked to Canterbury for inspiration and advice; and his enemies, with little exaggeration, characterised him as "that fiery zealot for the height of English Hierarchy and Ceremonies."[1] His enemies, indeed, acknowledged the correctness of his private life;[2] but his morality was of that stupid and formal kind, which is often a greater nuisance than the moral aberrations of intelligent men. We have seen what sort of person he showed himself to be before and after the Pentland Rising—timid, hysterical, and cruel, the warm admirer of Dalyell, opposed to all clemency, always clamouring for more force, more severity, more blood. The Glasgow Remonstrance against the Indulgence was a fitting close—for the time being—to so intolerant a career; and it is characteristic of the Archbishop and his clergy that in that paper, after commenting on the growth of conventicles and other evils, they insinuate that "all confusions" might have been prevented by the preparation of a liturgy and canons.

The vacant archbishopric was offered, as it could not fail to be offered, to the Bishop of Dunblane. Leighton's friends did not need to be told that nothing could reconcile him to such a charge but the prospect of being in a better position to heal the schism in the Church. At first he firmly refused the offer; but

[1] *Naphtali*, p. 300. "Bred a minister in England, most jealous of their forms and worship."—Mackenzie, p. 156.

[2] Kirkton, p. 221.

having been summoned to Court, and having there obtained so favourable a hearing for his scheme of accommodation that Lauderdale was empowered to pass the proposed concessions into laws, he consented, for a time at least, to administer the see of Glasgow as commendator in addition to his own. His new duties proved irksome in the extreme. The Episcopal clergy, whom Burnet had been wont to console with promises of law and military aid, looked askance on their new superior, when he exhorted them "to look up more to God, to consider themselves as the ministers of the cross of Christ."[1] The proposal of a conference in Lauderdale's presence at Holyrood was coldly received by the indulged Presbyterians; and this conference, which took place in August, 1670, was merely the first of several, which led to no result.

We have seen that, in Leighton's opinion, the granting of the Indulgence was inconsistent with the success of the Accommodation; but Tweeddale, who had proposed the first of these schemes, believed that it would prepare the way for the second. He appears to have thought that the Indulgence, by separating the moderate from the extreme Presbyterians, would revive the feud between the Resolutioners and the Protesters, and that the moderate men, officiating under a license from Government, would be more amenable to Government control.[2] Accordingly, after the conference at Holyrood, he set himself to work upon the indulged ministers, telling them that, unless they closed with Leighton's offer, which was not likely to be renewed, the Council would be compelled, in terms of the King's letter, to confine them to their parishes; that the yearly maintenance allowed them—if any such was given

[1] Burnet, i. 529.

[2] *Lauderdale Papers*, ii. 197.

—would probably be very small; that few more of their brethren would be indulged; and that by holding out they would confirm "the offence all the world had of them, that they could not live with nor tolerate any different opinion, and so were not to be tolerated."[1] We shall find that in process of time the schism anticipated by Tweeddale as the result of the Indulgence did in fact take place; but, for a year or two, little sign of it appeared. Not till some of the refugees in Holland had incited the fanatics against them, was any formal objection made to the ministry of the indulged; the late Act asserting the royal supremacy had shocked them almost as much as it had shocked the field-preachers; and to Tweeddale's extreme vexation, they insisted on debating Leighton's scheme, not only with their fellow Resolutioners, but with the whole Presbyterian body.

Strange, however, as it may appear, perhaps the most serious obstacle to the success of the Accommodation was the character of its author. Sir George Mackenzie has justly observed that Leighton was more hated by the Presbyterians than any other bishop, "in respect he drew many into a kindness for Episcopacy by his exemplary life rather than debates";[2] and apart from this cause of jealousy, he was much suspected as popish, monastic, lukewarm, latitudinarian, and "unsound." In one respect, indeed, the distrust of Leighton was reasonable enough. Burnet confesses his friend's belief

[1] *Lauderdale Papers*, ii. 205-206.

[2] *Memoirs*, p. 161. Thus the authors of *Naphtali*, mixing their metaphors in excess of rage: "There is none of them all hath with a Kiss so betrayed the Cause and smitten Religion under the fifth rib, and hath been such an offence to the godly."—p. 301. Row in his *Life of Blair* writes habitually of Leighton in the most malicious spirit; and Robert Law represents him as utterly insincere.—See his *Memorials*, p. 71.

that, if Episcopacy should be impaired in consequence of his concessions, it would recover its power as soon as the present generation had passed away; and elsewhere, without apparently remembering this passage, he tells us that the nonconformist ministers were influenced against the Accommodation by the thought that at best they should thereby secure Presbytery only for their own lives.[1]

In order to bring home the advantages of his proposed Accommodation to the people as well as to the ministers of the west, Leighton enlisted the services of six Episcopal divines, who in a preaching tour of some three months became known as "the bishop's evangelists." These men, the best that Leighton could persuade to be fellow-labourers with him in his noble, but thankless task, were Patrick Cook, Walter Paterson, James Aird, Laurence Charteris, James Nairn, and Gilbert Burnet, all of whom, except Aird, either held or had held livings in East Lothian. Of Cook and Paterson nothing appears to be known, except that the first was minister of Prestonpans, and that the second succeeded Nairn at Bolton, and served there with great diligence and in high esteem till his resignation in 1681 on account of the Test. Aird's career had been somewhat erratic. In 1661, when incumbent of Ingram, in Northumberland, he remonstrated with Leighton on his accepting a bishopric; in August of the following year he was ejected with other nonconformists; in September, having settled in Scotland, he was recommended by Leighton, without success, to the heritors of Straiton; in 1668 he was presented by Kincardine to Torryburn, in Fife; and after the Revolution of 1689 he was deprived by the Council for his loyalty to King

[1] Burnet, i. 503, 536.

James. It is strange that a clergyman ejected for his opposition to bishops should have been willing, a month later, to accept episcopal collation. Nairn was one of the three Edinburgh ministers who conformed; and he served afterwards, first at Bolton, and then at Wemyss. Kirkton, in his account of the six evangelists, calls him "their paragon, a man of gifts";[1] and Burnet extols him as the brightest, most cultured, and most eloquent of Scottish divines, opposed to fanaticism and superstition, and one who "studied to raise all that conversed with him to great notions of God and to an universal charity." At his death in 1678 he left money to found two bursaries in divinity, and bequeathed his library of nearly 1800 volumes to the University of Edinburgh. Charteris, at this time minister of Bathans near Haddington, and afterwards Professor of Divinity at Edinburgh—a post which he resigned on account of the Test—conformed to Presbytery in 1692 as he had conformed to Episcopacy in 1662. He had neither fluency nor animation as a preacher; but according to Burnet, who knew him and Nairn most intimately, he was both a saintly and a very enlightened man, positive in few things, prizing the fathers for their piety rather than for their doctrine, and "a great enemy to large confessions of faith, especially when imposed in the lump as tests."[2]

Gilbert Burnet was to achieve a great reputation in a wider field than that of Scottish history, and only the outset of his career falls to be noticed here. He was born at Edinburgh in 1643, his father, Robert Burnet of Crimont, being an advocate of high character, who,

[1] Kirkton, p. 293.

[2] Burnet, i. 391-393; Scot's *Fasti Ecclesiae Scoticanae*, i. 323; iv. 562, 604-605.

though no friend to Laudian Episcopacy, refused to sign the National Covenant, and administered a severe rebuke to his brother-in-law, Johnston of Warriston, when blamed by him for showing hospitality to an excommunicated bishop.[1] Gilbert's development was prodigiously rapid. Educated at Aberdeen and having graduated Master of Arts before he was fourteen, he studied law for over a year, and was then persuaded by his father to devote himself to the Church. In 1661, when he was licensed as a probationer, he refused a parochial charge on account of his youth; and in 1663, after two years of further study under the direction of Nairn, he visited England, where he made the acquaintance of many eminent men, including Tillotson, Stillingfleet, Whitchcot, Boyle, Lauderdale, and Sir Robert Murray, the last of whom he revered as a second father.[2] On his return, after an absence of six months, he was presented to the living of Saltoun, in East Lothian; and the cure being kept open for him, though he wished it to be given to Nairn, he spent most of the year 1664 in Holland and France, mixing freely with the leading men of all religions at Amsterdam, where he also improved his knowledge of Hebrew, and was treated with much distinction by the English Ambassador at Paris. On his way home he stayed for some time at Court, and on Murray's introduction became a member of the Royal Society.

After he "had broke into the world by such a ramble"—to use his own expression—Burnet settled down at Saltoun to a life of hard study and of still harder parochial work, varied, however, by one amazing

[1] See his letter to Warriston in Hailes's *Memorials of the Reign of Charles I.*

[2] *Own Time*, i. 546.

indiscretion. During his first visit to London, being then only in his twenty-first year, he had expostulated with both Lauderdale and Sharp on the establishment of the High Commission; and in 1666, on the eve of the Pentland Rising, he drew up an address to the bishops, rebuking them for their vanity and worldliness, copies of which he sent in his own name to all the bishops whom he knew. For this freedom, audacious enough in a youth of three-and-twenty, he was severely reprimanded; and had the other prelates been as angry as Sharp, the principal object of his attack, he would certainly have been deposed.[1] In 1669, after the issue of the Indulgence, he was appointed Professor of Divinity at Glasgow. These early years of Burnet's life, developing his natural abilities in so ample a medium of study, action, society, and travel, must have gone far to mould the English Churchman of the Revolution, whose activity as a politician was excelled only by his zeal and thoroughness as a bishop, and who in his posthumous memoirs, amidst so many brilliant portraits, has so clearly revealed himself as one of the sanest, healthiest, most tolerant of men.[2]

Leighton's evangelists soon found that no gospel was less likely to make converts in the west than that of peace and goodwill. The audiences they attracted were not large; and many of their hearers, "full of a much

[1] *Own Time*, i. 351, 363, 393-395; Cockburn's *Remarks on Burnet's History*, pp. 35-43.

[2] See the Life of Burnet by his son appended to the Oxford edition of his *History*, Mr. Airy's article in the *Dictionary of National Biography*, and the fine appreciations of his character by Lord Macaulay and Mr. Lecky. Burnet's *History*, in so far as it relates to Scotland during the period when he himself resided there, is by far the most accurate book of memoirs which falls within the compass of this work. Its accuracy and fulness of information are indeed most striking.

entangled scrupulosity," were anxious rather to multiply difficulties than to have them removed. Accustomed to preaching and catechising of the most contentious kind, the people had acquired a wonderful dexterity in the use of theological weapons; and to the astonishment of Burnet and his colleagues, even the meanest of the peasantry had sufficient knowledge of Scripture to bandy texts with them on the question of ecclesiastical government and of the proper distribution of spiritual and temporal power. Amongst such a people the newcomers inspired only distrust and contempt. Aird, who imitated the Bishop's manner as well as his piety and liberality to the poor, was jeered at as "Leighton's ape"; Nairn's eloquence was blasted by the suspicion that he was "unsound"; the scholarly Charteris, languid and reserved, was wholly unsuited to a rustic audience; and the brilliant young Professor, who spoke "the newest English diction," was found to be very deficient in another sort of language—"the language of an exercised conscience." As soon as their rivals had gone, the field-preachers held meetings in all the places where they had been, inveighing against them, and telling the people that "the Devil was never so formidable as when he was transformed into an angel of light."[1]

In spite of these discouragements, the advocates of conciliation did not lose heart. On December 14, there was a conference at Paisley, and in January, 1671, another and final one at Edinburgh, the terms proposed being substantially the same as those already stated on the authority of Burnet, except that we find no mention of the protest against Episcopacy which was to have been allowed to entrants at their ordination. The rejection of Leighton's offer, as Tweeddale foresaw, was

[1] Burnet, i. 535-536; Kirkton, pp. 293-294.

practically assured when the indulged ministers insisted on discussing it with the more fanatical of their brethren; for the temper of these men agreed only too well with the Knoxian principle so frankly asserted by James Guthrie in his account of the conference between the Resolutioners and the Protesters in 1655: "We judge it but the effect of the wisdom of the flesh and to smell rankly of a carnal politic spirit to halve and divide the things of God for making peace amongst men." Wodrow, indeed, admits that the Presbyterians had "most harmoniously" agreed beforehand to reject the Accommodation; and we can thus understand Leighton's despairing cry when confronted by such stubborn unreasonableness at Paisley: "Is there then no hope of peace? Are you for war? Is all this in vain?"[1] The nonconformists were at no loss for reasons to justify their conduct. They said that they could not recognise the bishops as constant moderators or presidents, because in so doing they should encroach on that ministerial parity which they believed to have been enjoined by Christ himself, and should also violate the Covenant. They declined to attend the Church courts, no matter with what liberty to declare their private judgment, because the present synods and presbyteries were not really such, but merely "courts authorised by the bishops and subordinate to his

[1] Wodrow, ii. 180. The conference at Paisley opened in a most characteristic fashion. Leighton, waiving his rights as Archbishop, courteously asked, "Who shall begin our conference with prayer?" Matthew Ramsay, the indulged parish minister, immediately answered "And who should pray here but the minister of Paisley."—*Analecta*, iii. 66. In the course of the conference, "Mr. Matthew Ramsay . . . spoke most freely; but Mr. Alex. Jamison did so oppose the bishop that he ran out of the room and held up his hands, crying, 'I see there will be no accommodation.'"—John Law to Lady Cardross, December 28, 1670; *Lauderdale Papers*, appendix to vol. iii.

Majesty in matters purely ecclesiastic"; and their apologist, in the true spirit of James Guthrie, observes that "the only proposal to any good purpose" would be that presbyteries and synods should be restored to their full power, as they existed in 1661.[1]

The rigid prelatists, who had condemned the Accommodation scheme as fatal to Episcopacy in all but name, exulted in its rejection as a fresh proof that the Presbyterians could neither be conciliated nor convinced;[2] and an extension of the Indulgence was now the only hope of those who desired to mitigate the severity of the penal laws. In 1671, about six months after the final conference at Edinburgh, Gilbert Burnet went up to Court on the invitation of Lauderdale, who desired to see the Memoirs, which he had just completed, of the Dukes of Hamilton. When his opinion was asked as to Church affairs, he suggested that two nonconformists should be appointed to each of the numerous vacancies in the west, as well as a colleague to each indulged minister, and that the couples should be confined to their respective parishes—a scheme which he advocated on the ground that it would isolate the firebrands now running loose through the country, and that it would either be a tax on nonconformity by compelling its adherents to support two ministers on the stipend of one, or, if objection were made to such a burden, would impair their unanimity and zeal. Leighton approved

[1] *The Case of the Accommodation lately proposed by the Bishop of Dunblane*, pp. 12, 14, 19. One of Leighton's letters appended to this pamphlet, and printed also by Pearson, concludes thus: "If we love both our own and the Church's peace, there be two things, I conceive, we should most carefully avoid, the bestowing of too great zeal upon small things and too much confidence of opinion upon doubtful things. It is a mad thing to rush on hard and boldly in the dark, and we all know what kind of person it is of whom Solomon says that he rages and is confident."

[2] Sharp to Lauderdale, February 2, 1671; *Lauderdale Papers*, ii. 213.

of Burnet's proposal; and in September of the following year, during Lauderdale's third visit to Scotland as Commissioner, about ninety nonconformists were appointed and confined to fifty-eight parishes, in a good many of which deprived ministers had been already indulged. The Presbyterians were much divided in opinion as to whether they should accept or refuse this boon, limited, as it was, by instructions from the Privy Council. Before the end of the year, however, after much fruitless agitation, about half of the persons nominated had—to quote Kirkton—"crept into the churches."[1]

This extension of the Indulgence was the last achievement of the group of statesmen and divines, who for five years had stood between the Presbyterians and their implacable foes. We have seen that Lauderdale had always been the patron of this group; and Lauderdale's character, never good, had now altered for the worse. About 1667, on the death of her husband, he revived a former intimacy with Elizabeth Murray, Countess of Dysart in succession to her father, the first Earl of that name, who had been page to Charles I., and was believed to have abused his position by betraying the King's secrets to the Covenanters. Lady Dysart was a most brilliant woman, ambitious, unscrupulous and rapacious, but renowned alike for beauty, learning, vivacity, and wit. She soon acquired a complete

[1] Burnet, i. 547-548, 623; Wodrow, ii. 201-211; Kirkton, pp. 330-336. Burnet says that Lauderdale omitted the most essential part of his scheme by neglecting to double the incumbents. The Council did indeed appoint two and even three ministers to a parish; but the Presbyterians unanimously refused to be located in couples, except where the charge had formerly been a double one, and their compliance was not enforced. —See Wodrow, ii. 206, and *Lauderdale Papers*, iii. 51. Burnet may thus be right in saying that only forty ministers were indulged at this time.

ascendency over the Scottish Secretary, and caused him to quarrel in succession with all his political friends. The first object of her aversion was Sir Robert Murray, whom she represented to Lauderdale as engrossing the credit of his measures at Court; and this she did as early as 1667, when Murray had gone down to organise the new administration in Scotland. In 1672, six weeks after the death of his wife, a daughter of the Earl of Home, who for three years had lived apart from him at Paris, Lauderdale married Lady Dysart; and as Murray had attempted to dissuade him from this step, the coldness between them now developed into an open breach.[1] Tweeddale, whose eldest son had married Lauderdale's only daughter, was the next victim of the Countess's displeasure, seconded in this case by the enmity of Rothes and the dislike of the King, who had never forgiven his compliance with Cromwell. He appears to have fallen under suspicion in 1670; but he was not dismissed from the Privy Council till 1674.[2]

Whilst Lauderdale for personal reasons was thus quarrelling with his friends, they on political grounds were becoming estranged from him. In 1669, when he first appeared as Lord High Commissioner, he behaved in the most violent and undignified manner, scandalising the Presbyterians by "his bawdy discourses and passionate oaths," disdaining to conciliate opponents, and saying openly to his guests at table that such and such measures should become law, oppose them who would.[3] In the following year he shocked not only

[1] Murray died suddenly on July 4, 1673. "Had he died a year ago, I should have been very much troubled for him, but he cured me of that."—Lauderdale to Kincardine, July 7; Sharpe's *Kirkton*, p. 260, note.

[2] Burnet, i. 447-450, 547, 562; Mackenzie, pp. 212, 217, 218, 263. The two accounts agree in every point.

[3] Mackenzie, pp. 181-182.

Murray and Leighton, but the King himself, by procuring an Act which made field-preaching a capital offence.[1] In 1672, after his second marriage, having now become a duke and a knight of the garter, he showed such fury against conventicles as in Burnet's words "seemed to furnish work for a physician rather than for any other sort of men."[2] It was now generally understood that, as Lauderdale's Militia Act had been intended to strengthen the King against the English Parliament, so his policy of toleration was subservient to Charles's design to restore Catholicism with the aid of France; and Shaftesbury, the great opponent of that design in England, succeeded in stirring up a formal opposition known as the Party, and headed by the Duke of Hamilton and the Earl of Tweeddale. When Lauderdale re-opened Parliament in the autumn of 1673, Hamilton and his friends made the startling proposal that, before an answer was returned to the King's letter, the grievances of the nation should be considered, not by the Lords of the Articles, but by a special committee; and in enumerating these grievances they complained that persons ignorant of law had been made lords of session,[3] that the coin had been debased,[4] and that, for the purpose of enriching individuals, heavy duties had been imposed on the importation of salt, brandy, and tobacco.[5] Lauderdale

[1] Burnet, i. 534-535. [2] *Ibid.* p. 622.

[3] When the Duke of York came to Scotland, several years later, he removed several of the Lords of Session as the Duchess of Lauderdale's "creatures."—Burnet, i. 619, note by Lord Dartmouth.

[4] Lauderdale's brother Charles was General of the Mint.

[5] "Tobacco was become so necessary that custom had made it as necessary as nature had made meat or drink; and consequently this imposition was as grievous as if bread or ale had been burdened."—Mackenzie, p. 245.

consented to give up the obnoxious duties; but in the following year, having failed either to appease or to intimidate the Party, he induced Charles to adjourn, and finally, by proclamation after his return to Court, to dissolve Parliament.[1]

In compiling his *Memoirs of the Dukes of Hamilton* Gilbert Burnet had been brought into close relations with Lauderdale's rival, the present Duke. In 1673 he went to London in order to obtain a license for publishing this work, and was received into extraordinary favour by the King, who made him one of his chaplains, and also by the Duke of York. Lauderdale and his duchess were very jealous of the influence, independent of theirs, which Burnet had acquired at Court; and as he declined to accompany them to Scotland, and reached Edinburgh only the night before Parliament met, they imagined that he had been employed as the correspondent of Shaftesbury and Hamilton to organise the revolt. At his next visit to London in the following summer, though the Duke of York stood his friend, he was deprived of his chaplaincy; and Lauderdale showed so much animosity against him that he deemed it prudent to resign his professorship at Glasgow and to settle in England.[2]

During all these events, and especially during the crisis of 1673, Kincardine had zealously seconded his chief. Lauderdale is said to have secured the continuance of his support by a promise to adopt milder measures as soon as the present opposition had been crushed; and the Commissioner may have intended to fulfil, or rather to anticipate his promise, when in March, 1674, just before returning to Court, he issued a proclamation

[1] Mackenzie, pp. 253-266; *Lauderdale Papers*, iii. 241-247.

[2] Burnet, ii. 22-35, 50-51; *Lauderdale Papers*, ii. 244.

remitting various taxes and pardoning all persons, not already convicted, who had broken the penal laws.[1] We shall find, however, that this proclamation, instead of diminishing the frequency of conventicles, had quite the opposite effect; and a violent persecution was immediately begun under the direction of a new Privy Council, in which few of the Hamilton connexion retained their seats, except the Duke himself. The Councillors soon complained that Kincardine had the audacity to oppose their repressive zeal; and in the autumn of this year, when he came up to Court in order to justify his conduct, Lauderdale, with some difficulty, procured an order from the King requiring him to return to Scotland.[2] About two years later, in July, 1676, both Kincardine and Hamilton were dismissed from the Council, the reason being that they had defended the action of Baillie of Jerviswood in assisting a field-preacher, his brother-in-law, to escape.[3]

The same year which witnessed the disgrace of Burnet and Kincardine, witnessed also the retirement of Leighton. In 1672, if not before, Leighton had allowed himself to be appointed archbishop, and not merely commendator, of Glasgow. He still hoped that something might be done to heal the seemingly incurable schism. Early in the summer of 1672 we find him writing to Lauderdale that the late conferences had not been wholly in vain, since some of the deprived ministers were talking of coming to presbyteries, if they should be excused from attending synods, and "though they cannot be charmed into union, yet they do not sting as

[1] Wodrow, ii. 266.

[2] Burnet, ii. 58-59.

[3] The field-preacher in question was the annalist, Kirkton. See this affair in Kirkton, Burnet, Mackenzie, and *Lauderdale Papers*, iii. 83.

fiercely as they did."[1] On June 16, 1674, Argyll writes that "the Archbishop of Glasgow is still for a conference"; and on the same day Leighton himself points out to Lauderdale how absurd it is that the civil power should do so much to secure obedience to Churchmen, whilst they "in their own proper way" do nothing for themselves, and that some means must be found to quiet the dissenting ministers "without binding up their mouths from preaching and from eating, and so neither stifle them nor starve them."[2]

As his hopes of unity, and even of peace, grew fainter and fainter, Leighton's growing disappointment betrayed itself in the flashes of his mocking, ironical humour. Thus on one occasion, with reference to the proposal of a national synod, he writes to Lauderdale from Edinburgh: "There is a huge noise raised here of late among the clergy about the motion of a convocation, and they that are here seem all hotly engaged in the contest for or against it, except one that is cool and indifferent in it, but that poor man is so to most other things that set the world on fire." As early as April, 1670, after the failure of his Accommodation scheme, he had prayed to be released from his post, ashamed that he and his brother bishops had occasioned so much trouble and done so little good, and very weary of those "trifling contentions," which he elsewhere describes as no better than "a quarrel d'Alman or a drunken scuffle in the dark." Burnet did his utmost to dissuade the Archbishop from his intended resignation; but Leighton may well have been confirmed in his purpose when he found that neither Burnet nor Burnet's friends and his own, Nairn and Charteris, could be induced to associate themselves with him in the episcopal office. In the

[1] *Lauderdale Papers*, ii. 225. [2] *Ibid.* iii. 49-51.

autumn of 1673 he again besought Lauderdale to set him free :—"For them that are in eminent civil employments and are no less eminently qualified for them, God forbid they should think of withdrawing; but for us of this order in this kingdom, I believe 'twere little damage to either church or state, possibly some advantage to both, if we should all retire." Wearied with his importunity, Lauderdale moved the King to promise that, if he continued in the same resolution a year hence, he should be allowed to resign; and a little after the expiry of that period, at the close of the year 1674, the promise was made good.[1] To the last he had laboured for union, and only in June of this year he had proposed a meeting between the more peaceable nonconformists and some of the bishops and clergy. After residing for some time in the College of Edinburgh, where he seems still to have retained the rooms which he had occupied as Principal, Leighton spent the remainder of his life with a widowed sister at Horsted Keynes, in Sussex. He had always desired to die in an inn—"it looking like a pilgrim going home"; and having come up to London to meet Burnet, he died at the Bell Inn, Warwick Lane, June 25, 1684.[2]

Of Leighton, it may truly be said that he embodied nearly all that the Church of Scotland had yet been, and very much of what in its narrower compass it was still to be. With the exception of the patriotic movement which culminated at Worcester, every phase of Scottish ecclesiastical history from the Reformation

[1] Archbishop Burnet was restored to the see of Glasgow by a royal letter dated September 7, and an Act of Council dated September 29.—Keith's *Scottish Bishops*, p. 266. Leighton, however, did not retire till the end of the year.—*Lauderdale Papers*, iii. 75.

[2] *Lauderdale Papers*, ii. 181, 238; iii. 55, 76; Burnet, i. 624; ii. 438.

to the Revolution was represented in him. To the evangelical piety of Rutherford and an absorption in religion equal to that which had caused Knox and Melville to override all secular and political claims, he added the Laudian love of ritual and much more than the Laudian liberality of creed, and a latitude in regard to questions of ecclesiastical polity far wider than that of Spottiswoode in his best days, of Cowper and of Patrick Forbes. It may indeed be objected that Leighton's temper, "inactive and unmedling," as he himself described it, was the very opposite of that of Knox; but in the ecstasy of spiritual contemplation, which too often allured him from the dangers and the difficulties of practical life, we cannot but recognise the coarse fanaticism of his father, transformed as that inheritance was in him by the keen intelligence irradiated with humour, which enabled him to rise above "trifling contentions" and to count it "a mad thing to rush on hard and boldly in the dark." Certainly no man had yet appeared in Scotland who combined so tolerant a spirit with such depth and intensity of devotional feeling; and thus, despite the effacement of bishops, whose withdrawal he had so coolly contemplated as a possible gain, uniting in religion, as Montrose had united in politics, the two great traditions of intelligence and zeal, Leighton must be acknowledged to have founded anew, after it had been dissipated by the storms of the Covenant, that great body of pious, liberal, and enlightened opinion, which, in the face both of Episcopal and of ultra-Presbyterian secessions, has adhered to his golden rule: "The mode of church government is immaterial, but peace and concord, kindness and goodwill, are indispensable."

CHAPTER XXI.

THE BOTHWELL RISING, 1674-1680.

The system of government, which Leighton and his friends had attempted to improve, was undoubtedly more violent in spirit and at the same time less exacting in its claims than that which had prevailed in Scotland during the reigns of James VI. and Charles I.; for no party could abuse its power, as the extreme Presbyterians had abused theirs in the interval between the battles of Preston and Dunbar, without causing itself to be both hated and feared. The religious policy of Charles II. was thus a mixture of severity and caution, its object being to put down the Whiggamore remnant, but, beyond the restoration of Episcopacy, to introduce no changes which any but such fanatics were likely to resist. Sharp, indeed, made a most fatal blunder when he procured the proclamation prohibiting the meetings of Church courts till they had been authorised by the bishops; but to all outward seeming, after their temporary suspension, presbyteries and synods continued as before; and Leighton, with more wit than wisdom, characterised the scruples of Presbyterians who declined to attend these courts "as a metaphysical nicety of no more value than the empty difference of sitting still,

though a Bishop come in, and of sitting down again when a Bishop is already there."[1] Public worship, the alteration of which had first shaken, and then subverted the former hierarchy, remained practically unchanged. The Perth Articles, which in virtue of the Act Recissory had again become law, were generally ignored; kneeling at communion was almost unknown; and few of the clergy observed either Christmas or Easter. There was no altar, no surplice, no burial service, no liturgy; for even the Book of Common Order had fallen into disfavour amongst the Covenanters, and was now very rarely used. An Englishman, who was a student at Glasgow during Leighton's tenure of that see, remarks in his diary that, until he understood the controversy about the Covenant and the imposition of Episcopacy, he "much wondered" how there could be any dissenters in Scotland, seeing that public worship in that kingdom was precisely the same as in the Presbyterian congregations in England.[2] The only difference, indeed, between the old worship and the new was that ministers were required to use the Doxology, the Lord's Prayer, and in baptism, the Apostles' Creed, and also to forbear lecturing, that is, the wearisome practice of expounding, instead of merely reading Scripture, before sermon.

A reform of public worship, however, though never introduced, was more than once proposed. It appears that in 1663 the King gave orders for the preparation of a liturgy and canons to be submitted, should he

[1] *The Case of the Accommodation*, p. 13.

[2] Diary of Josiah Chorley: Innes's *Sketches of Early Scottish History*, p. 233. "So very careful was the Episcopal Church of Scotland not to give offence to the Presbyterians that she became little more than Presbyterian herself to reconcile that party to her."—Morer's *Short Account of Scotland*, p. 54. See also Symson's *Present State of Scotland*, Mackenzie's *Vindication*, and Grub, iii. 216-219.

approve of them, to the national synod, an Act for the establishment of which had just been passed; that the work was actually begun; and that Lauderdale recommended the bishops to resume it in 1672.[1] This project was favoured both by sacerdotalists such as Archbishop Burnet, and by cultured latitudinarians such as Leighton, whose ideal of the beauty of holiness found small satisfaction in the Presbyterian service. Gilbert Burnet, when incumbent of Saltoun, used the English Prayer Book; and Leighton, in his last letter to Lauderdale before resigning his see, expressed his regret at seeing the Church so much exercised about a difference in government, "while not having of solemn and orderly public worship so much as a shadow."[2]

These two trends of opinion in favour of ritualistic reform were happily united in James Ramsay, who, as Dean of Glasgow, had assisted in drawing up the protest of his synod against the Indulgence, and who, having thus vindicated his churchmanship, had seconded Leighton in the conference with the Presbyterians at Paisley. In 1673 Ramsay succeeded Leighton as Bishop of Dunblane;[3] and in the following year he identified himself with a number of ministers in the dioceses of Edinburgh and Glasgow, whose petitions for a national synod as the approved remedy for schism were creating considerable stir. It was very improbable, indeed, that the Presbyterians would recognise such a court, constituted, as it must have been, according to the statute of 1663; but the idea in Ramsay's mind was that the

[1] Wodrow, ii. 309-310. [2] *Lauderdale Papers*, iii. 76.

[3] In his first address to the Synod of Dunblane, Ramsay spoke in warm commendation of Leighton:—"A much wiser and (more) experienced person than I dare pretend to, would be forced to sit down with this of the wise man, What can he say that comes after?"—*Diocesan Register*, pp. 100-101.

Church should exercise whatever rights of self-government it possessed to regulate its faith, worship and discipline, and should endeavour to reclaim the dissenters, instead of leaving them to be fined and hunted down by the civil power. Amongst the petitioners, however, were not a few rigid Episcopalians who cared little for the second of these objects in comparison with the first.[1] Leighton, as we have seen, took little interest in the proposal, having a very poor opinion of synods "and of all the vain jangles and strifes that usually take them up"; and his clergy being much divided in opinion, he told those of them who requested his concurrence that, since they quarrelled so hotly about the proposal of a synod, it might easily be seen what use they would make of it, if the synod were allowed.[2] Lauderdale was hostile to the scheme, both for its own sake as a movement towards spiritual independence, and because he believed it to have been promoted by the country party; and his aversion was fully shared by Sharp, who suspected, not without reason, that it was aimed against himself. In a letter

[1] "There were some few of the Conformists that preached against the persecution carried on against honest people, and the vicious lives of corrupt kirkmen, viz., Mr. Wilkie in Leith and Mr. Cant in Edinburgh, etc. These and the like were very desirous of the convocation."—Row's *Blair*, p. 542. Another of this class was one Turner, who in 1680 proved his liberality by allowing a Presbyterian minister to preach and baptise in his church of St. Giles.—Wodrow, iii. 195; and Sharp accused Bishop Ramsay of "promoting the fanatic interest."—*Ibid.* ii. 306. On the other hand, Leighton told Lauderdale that some of the petitioners in the west were "the persons of the whole diocese that have most discovered something of unkindness towards me."—*Lauderdale Papers*, iii. 57-58. These were doubtless the "hot men," whose temper Gilbert Burnet knew so well that he "went out of the way" when the synod was to meet.—*Own Time*, ii. 46.

[2] *Lauderdale Papers*, iii. 57, 58. Mr. Airy is mistaken in saying that Leighton supported the proposal of a national synod, and then gave way to Lauderdale's "masterful commands."

to Archbishop Sancroft, entreating his good offices with the King, he complained that an Edinburgh minister, one of the petitioners, had called him "a great grievance to the Church" and Bishop Ramsay afterwards stated in his defence that one of the bishops had confessed to him that the Church would never be well so long as Sharp was at its head. With Lauderdale to support him, Sharp had no difficulty in putting down the clerical revolt. In accordance with a royal letter to the Privy Council, four ministers were, for a time, suspended; and Ramsay, who held out so stoutly that a committee of bishops was appointed to enquire into his conduct, was sequestered for two years from his see.[1]

Some years after the discomfiture of Bishop Ramsay, the cause of ecclesiastical reform found another advocate equally bold, but much less wise. In 1679 James Gordon, minister of Banchory Devenick, in the county of Aberdeen, published an anonymous pamphlet entitled *The Reformed Bishop*, in which he attempted to show how very far the present bishops had departed from the primitive model, censuring in particular their "Persian arts of splendour and effeminate gallantry," the expense of their households, their neglect of preaching and of charitable works, their immersion in politics, and their subservience to the civil power. The author shows himself to be a man of independent, not to say eccentric views, one of his favourite ideas being that the clerical profession ought to be confined to "gentlemen of good families."[2] He advocates standing at communion as the most primitive attitude and the

[1] Wodrow, ii. 300-316.

[2] "As for the baseness of descent in some of the clergy . . . I heartily wish that, as it is the foundation of some monasteries in Germany, whereunto none are admitted save gentlemen of good families, it was so in our Church."—*The Reformed Bishop*, pp. 41-42.

one most likely to be generally observed; he asks for a liturgy "purified from the dregs of Popery and superstition"; and he condemns, except in the last resort, the attempt to reclaim dissenters by other than ecclesiastical means. On the other hand, he bitterly denounces the Presbyterian conformists, for whose share in "the late damnable rebellion," though most of them must have been admitted to the ministry after 1638, he would have had a day of "solemn humiliation"; and he suggests that Englishmen might have been appointed to Scottish sees rather than that so many of these "willy-wisps" should have been made bishops. In January, 1680, for "malicious, slanderous, and impious defamations" alleged to be contained in his book, Gordon was deposed by an episcopal synod; but the sentence was soon recalled.[1]

To have excluded Presbyterians from the government of what was still in the main a Presbyterian Church would certainly have been the height of political folly; and had this course been adopted, the Church of the Restoration would have lost the best and greatest of its prelates, as well as Ramsay and Gordon's own superior, Bishop Scougal, who, though of irreproachable family, belonged to the species of "willy-wisp" which that writer disliked most—the species which had renounced Episcopacy in 1638, and returned to it in 1662. Patrick Scougal had begun his ministerial career as pastor of the model church built by Archbishop Spottiswoode at Dairsie in Fife; he had been translated to Leuchars, and then to

[1] *The Reformed Bishop*, pp. 162, 168, 190, 250, 253; Grub, iii. 274. Bishop Paterson of Edinburgh calls Gordon's book, "A new effort of some men's contrivance, who *anno* 1674 incited to the motion for a general assembly."—*Lauderdale Papers*, iii. 190.

Saltoun, where Gilbert Burnet succeeded him in 1664 on his becoming Bishop of Aberdeen. Robert Baillie refers to him as "a good and noble scholar,"[1] and Fountainhall, in recording his death, as "a moderate man and but half Episcopal in his judgment."[2] Burnet bestows an eloquent eulogium on his conduct as a bishop, describing him as a worthy successor of Patrick Forbes, as the common father of his diocese, and as equally esteemed by conformists and dissenters. He is said to have taken particular pleasure in conversing with young men; but the more ardent of these youthful spirits can hardly have subscribed to his opinion that abuses are only strengthened by opposition, and that they ought to "give over all thoughts of mending the world, which was grown too old in wickedness to be easily corrected."[3] His concurrence in the deposition of Gordon is thus easily explained. Bishop Scougal had a son Henry who died of consumption at the early age of twenty-eight, but whose work, *The Life of God in the Soul of Man*, published anonymously during his lifetime, with a preface by Burnet, has long been recognised as a religious classic.

It has been mentioned incidentally that during the summer of 1674 field-conventicles greatly increased. These meetings had been common enough in the west during the four years which followed the expulsion of the Presbyterian clergy in 1662, two ministers indeed, Welsh and Semple, having preached in the open the very first Sunday after they were deprived. The failure and cruel suppression of the Pentland Rising caused the practice to be discontinued for a considerable time; and

[1] Baillie, iii. 365. [2] *Historical Observes*, p. 61.

[3] Burnet's Preface to his *Life of Bedell*.

an outdoor meeting at Fenwick, Ayrshire, in January, 1669, is said to have been the first since the battle of Rullion Green.[1] The effect of the Indulgence, confined as that system mainly was to the diocese of Glasgow, was to discourage field-preaching in the west, where it had begun to revive, and to promote it in the east, where hitherto it had been almost unknown. The Presbyterians of Fife and Lothian were not a little jealous that the turbulence of the Protesters should have extorted so great a boon; and they hoped by adopting the same policy to obtain the same reward. The first field-conventicle in Fife was held at Strathmiglo in 1669, the year in which the Indulgence was issued; another and more famous one—some of the worshippers being armed—was that on Beath Hill above Dunfermline in June, 1670; and Fife, owing to the want of such meetings, had fallen so far below the Whiggamore ideal of culture, that Blackader, who preached on both of these occasions, refers to it in his *Memoirs* as "that barbarous country." In January, 1674, the same preacher addressed a vast assembly at Kinkel, within a mile of St. Andrews; and three days later, he preached within the town itself, close to the Primate's house.[2] Nothing, however, gave so powerful and so lasting an impulse to conventicles as the indemnity proclaimed by Lauderdale, before his return to London, in March of this year. The Presbyterians were now more or less countenanced by the Hamilton or country party; they accepted the indemnity as evidence that Lauderdale, too, was their friend; and they professed to have a promise from the Duchess that

[1] Crichton's *Memoirs of Blackader*, p. 147. Kirkton says that field-conventicles at that time were very rare.—*History*, p. 147.

[2] Crichton's *Blackader*, pp. 111, 151, 153, 164, 174, 179.

she would intercede for them at Court.[1] "From that day forward," says Kirkton, "the truth was, Scotland broke loose with conventicles of all sorts, in house, fields, and vacant churches; house conventicles were not noticed, the field conventicles blinded the eyes of our state so much."[2] Kirkton himself and another minister held a large meeting in the church and churchyard of Cramond; in Edinburgh the nonconformists took possession of the Magdalene Chapel; Welsh collected enormous assemblies in Fife; and in that county alone it was computed that on one Sunday 16,000 persons were worshipping in the fields.[3] These meetings, when the militia attempted to disperse them, were usually found well prepared against both surprise and attack, particularly a year or two later, when field-communions on a great scale had become common. One such communion at East Nisbet, Berwickshire, in 1677 extended over three days; and the people during worship, and in going to and from their quarters in three different villages, were protected by squadrons of horse.[4]

Despite all that Parliament and Council could do to put them down, these great meetings, which Kirkton admits to have been more like armies than conventicles, became yearly larger, more warlike, and more frequent, till they culminated in the rebellion of 1679. In 1670 statutes were passed prohibiting unauthorised baptisms, requiring persons to be fined, imprisoned, and even

[1] Mackenzie's *Memoirs*, p. 273 "They assure them yet of an indulgence which they pretend to be confirmed in from persons in trust."—*Lauderdale Papers*, iii. 60. As Wodrow points out, ii. 239, the King's letter to the Council, dated June 23, implies that some such assurances had been given.

[2] Kirkton, p. 343. So also Mackenzie, p. 272: "Immediately after Lauderdale went to London, the fanatics began to preach openly everywhere."

[3] Crichton's *Blackader*, p. 183.

[4] *Ibid.* pp. 198-206.

banished, who should refuse to disclose their knowledge of conventicles, and, as a temporary measure continued three years later, offering a reward of 500 merks for the apprehension of field-preachers, and declaring them to be punishable with death.[1] In 1673 a proclamation was issued fining land-holders in a fourth part of their rent for each conventicle, held on their grounds and known to them, which they should fail to report. Next year, after the indemnity of March 24, still more stringent regulations were made. The new Privy Council, nominated on June 4, appointed a special committee for dealing with conventicles; and Lauderdale pushed on the work by instructions from Court. Masters were required to see that their servants did not attend conventicles, and heritors to exact a bond from their tenantry to that effect; the fines incurred by frequenters of such meetings were offered as a reward to their captors; and the price of a field-preacher was raised from 500 merks to 1000, and in the case of Welsh, Semple, and Arnot, to 2000. On July 16 about forty ministers were outlawed, several of whom had refused the Indulgence; and the regular troops were soon afterwards increased by 1000 foot and three troops of horse. In 1675, in order to overawe the most unruly districts, garrisons were placed in a dozen country houses, and letters of intercommuning were issued by which it was declared criminal to assist or shelter any one of over a hundred rebels, that is, persons of both sexes who had been summoned for attending conventicles, and had failed to appear.[2]

[1] These laws, however, were made merely *in terrorem*. No field-preacher as such was ever put to death; and Burnet admits that the fines were levied only "on some particular instances."—ii. 326.

[2] Wodrow, ii. 167-173, 212, 234-237, 243, 247, 268, 282, 286.

In August, 1677, these and all subsequent measures having failed, the Government re-issued the proclamation of 1674 requiring land-owners to become surety for their tenants. The heritors of Clydesdale refused to comply with this edict, whilst those of Ayrshire petitioned against it;[1] and Lauderdale then resolved, if not to excite a rebellion,[2] at all events to adopt measures which in his own judgment could hardly fail to produce such a result. On November 2 the heritors of Ayr and Renfrew met at Irvine in consequence of an intimation from the Privy Council that they must either devise means for restraining conventicles within these shires or submit to have them put down by force. The heritors, after long discussion, reported that it was beyond their power to suppress these meetings, and that a general toleration of Presbyterians was the only expedient they could suggest for preserving the peace.[3] When this answer reached Edinburgh, news had just come in from Ayrshire that conventicles were very frequent there, "especially in Carrick, where they are kept in every parish almost every week," that Welsh was about to celebrate a field-communion, that the dissenters were building meeting-houses, that they had possessed themselves of a parish church, had broken into the minister's house and threatened him with death if he continued to preach.[4] Lauderdale at once despatched orders for

[1] Wodrow, ii. 364-368. [2] Burnet, ii. 137.

[3] Wodrow, ii. 402, says that the heritors "had sincerely declared it was not in their power to suppress conventicles." On p. 440 we are told that the heritors could unquestionably have put down these meetings "if they had had freedom to do it, and had not been convinced other methods would be more for the King's interest."

[4] The Earl of Dundonald to Lauderdale, October 24; *Lauderdale Papers*, iii. 88. Mackenzie, referring to this letter, calls Dundonald "a most cautious Privy Councillor."—*Memoirs*, p. 329.

raising some of the Highland clans; and in January, 1678, a large body of Highlanders, with some regulars and militia, advanced from Stirling to Glasgow, whilst, in case of insurrection, English and Irish troops were held in readiness at Newcastle and Belfast. The committee of Council, which accompanied the force, had instructions to seize arms and horses throughout most of the western shires, and to quarter soldiers on all who should refuse to sign a bond binding themselves and their dependents not to attend conventicles, and not to harbour any of the King's rebels. The heritors of Fife, dreading a visit from the Highlanders, had already volunteered to sign this or a very similar bond; but in the west and south, Dumfriesshire excepted, very few could be induced to sign, amongst the recusants being the Duke of Hamilton, the Earls of Cassillis, Loudoun, and Roxburgh, and several other peers. After living for five weeks at free quarters over an area extending from the Ayrshire cost to the Clyde, the Highlanders were withdrawn in the end of February, and the regulars and militia about two months later. The Presbyterians offered no resistance, and not one of them was killed; but the losses they sustained in fines, quarterings, and other exactions were prodigiously great.[1]

Just before the Highland invasion, James Mitchell, who had attempted to assassinate Archbishop Sharp in 1668, was put to death. He had been apprehended in 1674, and the Privy Council having promised to spare his life, he had confessed the attempted assassination, and also his concern in the Pentland Rising. When brought before the Court of Justiciary, however, suspecting that his limbs, if not his life, might still be in danger, and believing that his guilt

[1] Wodrow, ii. 370-432.

could not be proved, he had resiled from his confession, and the Privy Council had then revoked its promise. In January, 1676, he was cruelly tortured to no purpose—for he denied everything—with regard to his share in the rebellion; and after being detained a year longer in the Tolbooth of Edinburgh, he was sent as a prisoner to the Bass. In January, 1678, owing to the discovery of a new plot against the Primate,[1] he was again tried under a statute of James VI., which made the assaulting of Privy Councillors a capital offence—a statute which was then obsolete, and which, as regards the death penalty, had never been enforced. The sole proof of guilt was his own confession made after a promise of mercy, which had, indeed, been withdrawn, but the withdrawal of which, though it exposed him to fresh evidence, ought certainly to have quashed that which he had given against himself. The Councillors cited to prove the confession, however, Lauderdale, his brother Charles, Rothes, and Sharp, denied on oath that any promise had been given; and though Mitchell's counsel, Sir George Lockhart, produced a copy of the Act, three of the five judges disallowed his plea that the register should be examined. Sharp fared worse in this business than any of his colleagues; for one Somerville, Mitchell's brother-in-law, protested "on his salvation" that he had received from him the most solemn private assurances with regard to the prisoner's life; and the extraordinary vehemence of this witness, whom the Primate vainly endeavoured to overawe, created a profound impression in the densely crowded court. When Lauderdale found that the Council had really committed itself—a fact

[1] Mackenzie, p. 328. It appears from Russell's narrative appended to Kirkton that two unsuccessful attempts had been made to waylay Sharp.

which he seems to have forgotten—he proposed a reprieve; but to this Sharp would not agree. Mitchell suffered on January 18. The jury which condemned him had been carefully selected, and consisted mainly of soldiers in Government pay.[1]

In July, 1678, a Convention of Estates, chiefly for the purpose of suppressing conventicles, voted a sum of 1,800,000*l.* Scots, to be raised within five years; and the disputes as to the lawfulness of paying this "cess" or tax brought almost to a crisis the dissensions which had long existed between the extreme and the more moderate dissenters. The Indulgence, as an assertion of the royal supremacy, had always been obnoxious to High Churchmen, Presbyterian as well as Episcopal; but it was not till the supremacy had been asserted in such extravagant terms by the statute of 1669 that any serious opposition was made. Thus, whilst the first Indulgence was accepted by all to whom it was offered, there were a good many who declined to avail themselves of the second. The older and more prudent of the field-preachers, indeed, though they disapproved of the Indulgence, were anxious to keep it an open question. Blackader did his best to discourage contention on this point, and both he and Welsh, much to their honour, refused to preach in any parish where there was an indulged minister.[2] Every year, however, as persecution waxed hotter, the contrast in point of comfort between the

[1] Wodrow, ii. 248-252, 454-473; Fountainhall's *Historical Notices*, i. 184-186; Burnet, ii. 127-134. Kirkton, p. 277, dismisses Mitchell with the contemptuous epithet, "a weak scholar." Wodrow, in his nauseous cant, calls him "a youth of much zeal and piety," and adds: "From what motives I say not, he takes on a resolution to kill the Archbishop of St. Andrews."—ii. 115.

[2] Crichton's *Blackader*, pp. 223-224.

indulged and the non-indulged became more and more marked; and a new generation of field-preachers had now sprung up who had been ordained as such, and whose reputation depended solely on their popularity with the uneducated rabble. These men were so far from respecting the indulged clergy that they invaded their parishes, holding services sometimes on the same day and at the same hour, denouncing them as worse than the Episcopal incumbents, and declaring that it was sinful even to hear them preach.[1] In August a general meeting of Presbyterians was held at Edinburgh with a view to reclaiming these zealots, but apparently without success.

The extravagance of the younger preachers was aggravated and defended by two ministers of considerable note, who had been banished soon after the Restoration, and had taken refuge in Holland. These men, Brown and M'Ward, made it their principal business to kindle dissensions amongst their brethren in Scotland, and to blow them into a flame. In his *Apologetical Relation*, published in 1665, Brown argued against the practice, then almost universal, of hearing conformist as distinguished from intruded ministers; and a small tract that he wrote against the Indulgence was the first of its kind.[2] M'Ward attacked Leighton in *The Case of the Accommodation*, a work in which he announced to "all our temporising pursuers of peace" that nothing would satisfy him but the complete re-establishment of Presbytery as it existed in 1661. In 1678, the year we have now reached, both writers published pamphlets —M'Ward, *The Poor Man's Cup of Cold Water ministered to the Saints and Sufferers for Christ in Scotland*, and Brown, with a preface by M'Ward, *The*

[1] Law's *Memorials*, p. 141. [2] Kirkton, p. 290.

History of the Indulgence. The first of these tracts sadly belies its title. It is a mere tissue of senseless ravings against the Act of Supremacy, "that heaven-daring act" by which Christ had been deposed from his "chair of state"; and the only refreshment it offers to "the saints and sufferers" is an assurance that they shall one day see their enemies made as dust under their feet. In the other pamphlet every available plea is urged against "this abomination of the Indulgence"—an abomination so horrible that the writer of the preface cannot even mention the indulged clergy in his prayers, except only to ask that they may have grace to repent; but Brown rather diminishes the force of his objections when he says that, even if the Indulgence were free of all "grounds of scrupling," he leaves it "to Christian prudence to consider whether, as matters now stand, the Lord be not rather calling them to preach His name on the mountains, seeing this way hath been so signally blessed of the Lord." In Scotland, if not in Holland, "Christian prudence" might be supposed to have some regard for the law, which made field-preaching a capital offence.

As understood by the little flock which Brown extols as superior in intelligence to its shepherds, these wild doctrines became even more absurd than their author intended them to be. Thus, for example, Brown acquits the indulged clergy of any other error than that of an "interpretative homologation of the supremacy"; but the peasantry, who repeated without understanding this portentous phrase, regarded it as an aggravation of the crime; and they ignored or repudiated his admission that, if there were no other ministers in Scotland, it would then be not only lawful but imperative to hear both indulged and prelatical incumbents. Some of them

declared that to hear Episcopal ministers was worse than to commit adultery, that their very baptism was the mark of the Beast; and a minister, who attended a woman of this persuasion on her deathbed, reported that he could obtain no further account of her spiritual welfare than this, "that she had never heard a curate."[1]

The writers of these pamphlets cannot altogether escape responsibility for the violent death which overtook Archbishop Sharp on May 3, 1679; for they had done much to stimulate the evil passions which found vent in that foul and execrable deed. Happily it was neither a useful nor an honourable career that was thus cut short. Sharp, indeed, was not wholly bad. At the Restoration he exerted himself with the King to save the life of Guthrie, and he succeeded in saving that of Simpson.[2] Profuse in his expenditure, he was also extremely charitable, a daughter of Johnston of Warriston, as well as other agents, being employed by him to relieve the widows and orphans of Presbyterian sufferers; and it is stated on the authority of a clergyman who knew him well that he was in the habit of giving away large sums anonymously for this purpose.[3] These private virtues, however, are sadly out of keeping with his recorded actions as Privy Councillor and Primate; for, though much superior in ability to Archbishop Burnet, he was little less cruel, and much less honest. The restored episcopate was blighted in its very origin by the wretched trickery he employed to set it up; and his conduct in suspending the Presbyterian courts for no weightier reason than in order to

[1] Vilant's "Review and Examination" of Brown's *History of the Indulgence*, pp. 484, 518, 522, 527-528.

[2] See his letter to Primrose, quoted by Sharpe in his edition of Kirkton, p. 113. Wodrow suppressed this fact.

[3] *True and Impartial Account, etc., of Dr. James Sharp*, p. 78.

prevent anti-episcopal petitions is a good example of his violent and short-sighted methods. With the more enlightened High Churchmen, whose projects of ecclesiastical reform he had so summarily suppressed, he was hardly less unpopular than with the persecuted dissenters; to Gilbert Burnet he was an object of abhorrence; and the leading statesmen, Lauderdale, Rothes, Kincardine, and Murray, regarded him as merely a clever knave, whom it was permissible on all occasions to cajole, bribe, bully, and, if possible, outwit.[1]

About the beginning of 1679 the new troops voted by the Convention in the previous year were sent into the west, great part of them being disposed in garrisons at Lanark, Glasgow, Dumfries, Kirkcudbright, and Ayr; and under pressure of this new grievance, the margin which had hitherto separated conventicles from rebellion was considerably abridged. It seems that the sporadic activity of the field-preachers had contracted into what Wodrow calls an "ambulatory sort of meeting," that is to say, instead of many small assemblies, there were now a few large ones which met at stated places on Sunday, and during the week never wholly dispersed. Towards the end of March two or three troopers were surprised in their quarters at Lesmahagow in Clydesdale; soon afterwards in the same parish a party of dragoons was routed by a large armed conventicle, and the commander severely wounded; and on April 20, at Newmilns in Ayrshire, without any provocation, two soldiers were barbarously murdered.[2] Sharp perished

[1] See the evidence on this point collected by Mr. Airy in the *Scottish Review*, July, 1884.

[2] *Lauderdale Papers*, iii. 162; Wodrow, iii. 33, 36-37 The heritors of Ayr wrote to the Council to express their detestation of this outrage. "It is very certain," says Wodrow, "that about this time matters were running to sad heights among the armed followers of some of the field-meetings."

on May 3; and the Privy Council then issued two very necessary proclamations, one of which prohibited the carrying of firearms without a license, and the other declared it treason to go in arms to any field-meeting. On May 29, the King's birthday, a body of Whigs, opposed to the Indulgence and comprising several of Sharp's murderers, rode into Rutherglen, a small borough two miles from Glasgow, extinguished the loyal bonfires, and published a declaration in which they protested against all violations of the Covenant, from the Engagement of 1648 to the Restoration, and particularly against certain posterior Acts, such as the Act Recissory, the Assertory Act, and the edicts of Indulgence, copies of which they publicly burned.[1] On Saturday the 31st Captain Graham of Claverhouse, whose military career in Scotland began only this year, marched from Glasgow to Rutherglen, and thence to Hamilton, in quest of the rebels. From Hamilton, with his own troop of Life Guards and two troops of dragoons, he set out early on Sunday morning to disperse a large armed conventicle, which was to be held that day at Loudoun Hill, on the border of Lanark and Ayr. Meanwhile the rebels had resolved to rescue one of their preachers whom Claverhouse had taken prisoner; and, when the latter approached Loudoun Hill, he found them "not preaching," but drawn up for battle in the midst of a marshy moorland known as Drumclog. The action began with some skirmishing, in which the King's troops more than held their own; but the enemy making a general onslaught, horse and foot, across the morass, they were

[1] The document printed by Wodrow mentions "the acts of council, their warrants and instructions for indulgence"; and though most other copies want this clause, he believes that the declaration was published in this form at Rutherglen. That such was the case is evident from Russel's narrative appended to Kirkton, p. 462.

entirely routed, losing several officers, and, in killed alone, over thirty men.[1] Claverhouse retreated as best he could to rejoin his superior, Lord Ross, at Glasgow; and the Whigs were easily repulsed when on the following day they attempted to carry that town by assault.

This rising originated in a vein of fanaticism more criminal in practice, though little more violent in theory, than any which had yet been tapped. The leaders of the movement were Robert Hamilton, Balfour of Kinloch, his brother-in-law Hackston of Rathillet, and James Russel. The last three, having "a clear call from God to fall upon him" were chiefly responsible for the murder of the Primate, though Hackston for personal reasons had contented himself with being a spectator of the deed. Hamilton, the second son of a baronet who had fought for the King at Dunbar and Worcester, was in command of the "ambulatory conventicle" to which the assassins attached themselves after making their way from St. Andrews to the Clyde; and he continued to be the rebel general, in so far as there was one. He had all the ferocity of the other three, and very little of their personal courage. After the engagement at Drumclog, having issued orders that no quarter should be given, he put one of the prisoners to death in cold blood; and when he found that five of the enemy without his knowledge had been admitted to quarter, he remarked to those about him that he "feared the Lord would not honour us to do much for him."[2] During the street-fighting in

[1] Claverhouse's despatch in Napier's *Memorials of Viscount Dundee*, ii. 221, and Russel's narrative appended to Kirkton. Burton gives the date of this skirmish as June 11.

[2] See his letter, December 7, 1685, in Michael Shields's *Faithful Contendings Displayed*, p. 201, where he refers to that venerable atrocity, the story of Agag.

Glasgow the insurgents saw very little of their general, who on entering the town is said to have turned into the nearest house;[1] but Hamilton and his friends, after the manner of James Guthrie, ascribed their repulse to this amongst other causes, that they had allowed an "unhappy man," who had served under Dalyell at Pentland and had not done public penance for that sin, to fight in their ranks.[2]

Lord Ross having evacuated Glasgow on June 3, the day after its successful defence, the insurgents took possession of the town; and on Saturday the 7th Hamilton estimated his force at nearly 6,000 men. As yet, with the exception of Welsh and a few of his adherents, there were none but approved fanatics in the camp; but henceforward, as recruits came in, "the godly" had to reckon with more and more of those weaker brethren, whom they called "the rotten-hearted." The difference between the two parties was not very great, for both were resolved to continue in arms and both disapproved of the Indulgence. Hamilton and his friends, however, wished to disown, or at all events, not to acknowledge the King, and above all, to hold aloof from the indulged, whilst Welsh's party, which included all the ministers, eighteen in number, except two or at most four,[3] desired to profess their loyalty in terms of the Covenant, and setting aside all disputes, to appeal to Presbyterianism at large. Meanwhile, a short declaration had been issued, supplementary to that of Rutherglen, which condemned the Indulgence in the general phrase, "Erastianism and

[1] Wodrow, iii. 71. [2] *Faithful Contendings Displayed*, p. 199.

[3] Hamilton's chief supporters amongst the ministers were Cargil and Douglas. Kid, and probably King, sided with him, but they were much less active.

all things depending thereupon"; but the moderate men, who had succeeded only in softening this paper, soon became strong enough to carry one of their own, commonly called the Hamilton declaration, because it was published, June 13, at the cross of that town. The fanatics complained of a breach of faith, asserting that this manifesto was to have been proclaimed by one of their own preachers and was to have been revised by them before it was printed, whereas Welsh proclaimed it himself and caused it to be printed forthwith. At all events, violent enough before, the quarrel now exceeded all bounds. On the following Sunday the council of war sent for the moderate ministers, and told them that, unless they preached "name and surname" against the Indulgence, they should not preach at all. The ministers resented this as the very "height of supremacy"; and when the army assembled to hear sermon, Welsh's coadjutor, Hume, thrust out first one and then another of his fanatical brethren, just as they were beginning to preach. Soon afterwards it was agreed to hold a day of humiliation; but "the godly" had hardly time to congratulate themselves on the success of this manoeuvre, whereby they hoped to deal another blow at the Indulgence, when Welsh broke in upon the ministers and elders who were drawing up a catalogue of public sins, rebuked them for condemning the Indulgence before it had been declared unlawful by a General Assembly, and challenged them to put down that as "one of the causes of God's wrath." The fanatics, on the other hand, protested that one of these causes should be the Hamilton declaration. In the uproar that followed, the army marched off without orders from Hamilton to Airdrie, and was brought back during the night in

such confusion, that, in the opinion of a moderate officer, 500 horse might have routed it all.

On Friday the 20th Welsh was joined by a large contingent of his supporters from Galloway; and at a council of war on the following day, when, in justice to what was now the more numerous party, it was proposed to make a new election of officers, eighteen of the fanatics left the meeting, and Hamilton, as he went out, declared that he had drawn his sword and was prepared to use it equally "against the indulged men and curates." The moderate men resolved to draw up an address to the Duke of Buccleuch and Monmouth, the King's natural son, who at the head of the royal troops was now close at hand, and whose pacific inclinations were very well known. After much wrangling, the fanatics agreed to the proposed address, intending apparently to make it more like a defiance than a supplication; but by this time the armies were separated by little more than the Clyde; and on Sunday morning, when two envoys reached the Duke's headquarters with a petition which Hamilton had been induced to sign,[1] hostilities had already begun. Monmouth promised to do his best for the petitioners, but only on condition that they laid down their arms; and these terms being rejected, the fighting, after an hour's cessation, was resumed. Though much thinned by desertion, the insurgents were still more than double the royal troops, which numbered only 2,300; but they were miserably divided, few of them had muskets, and of these, it is

[1] Hamilton says that he signed the address without reading it on the assurance of William Blackader, son of the field-preacher, that it had been drawn up by the fanatical minister, Cargil. This is not very probable.—See *Faithful Contendings Displayed*, p. 195. The address is very general in scope, but the envoys were instructed to demand a free Parliament and Assembly.—Wodrow, iii. 105-106.

said very few had so many as two charges of ammunition. Several hundred foot, mostly of the moderate section, though Hackston was one of their leaders, held Bothwell Bridge so stoutly for nearly an hour that the Royalists were twice driven from their guns; but when Hume, the minister who had carried the message to Monmouth, was exhorting these men to stand firm, Russel galloped up and told him that "he had denied the Lord's cause, so that they could not stand before the enemy." As if to make good these words, instead of supporting his advanced guard, Hamilton sent them orders to retire; and when Captain Weir, the "unhappy man" who had fought under Dalyell at Pentland, was riding down with two troops to charge the enemy as they defiled from the bridge, he attempted to dissuade him, and failing in that, appealed successfully to his men.[1] The horse then rode off with Hamilton at their head; and the infantry, thus left exposed, speedily gave way. About 1,200 surrendered where they stood; and some 400 are said to have been cut down in the pursuit.[2]

At Bothwell Bridge the Church of Scotland finally abjured the fanatical tradition which had been established by the Act of Classes, the supremacy of which had been overthrown by Cromwell at Dunbar. To define Presbyterianism on semi-political grounds as an

[1] Hamilton's own account was that he rebuked Weir for leaving his place without orders. Russel, however, admits that Weir meant to attack the enemy, whereas Hamilton insinuates that he was retreating to get out of range. Blackader in his *Memoirs* says he had often heard that "Hamilton behaved not worthily that day, showing neither courage, conduct, nor resolution; but at best as a man damped or demented, and also among the foremost that fled."—Crichton's *Blackader*, p. 247.

[2] Russel's Narrative appended to Kirkton; Ure's Narrative in M'Crie's *Memoirs of Veitch and Brysson*; Hamilton's letter in *Faithful Contendings Displayed*, p. 186; Law's *Memorials*, pp. 149-151; Wodrow, iii. 89-110.

opposition to the Engagement was less absurd than to re-define it on Erastian grounds as an opposition to the Indulgence; and the considerable party, which had identified itself with the first of these attempts, was now, as divided by the second, to survive only as an insignificant sect. Henceforward, in consequence mainly of their own frantic proceedings, the fanatics had to reckon with what they called an "universal impudent apostasy";[1] and several ministers, who in 1651 had protested against the Public Resolutions were frank enough to confess that "if that were to do again, they would not do it."[2]

England at this period was in the throes of the Popish Plot; and the policy of conciliation, which had led to the appointment of Monmouth as general, forbade any great severity in the punishment of ultra-Protestant rebels. On their arrival at Edinburgh, the 1,200 Covenanters who had surrendered on the field were confined, for the most part, in the Grey-friars' churchyard; and here they were soon joined by about 200 more who had been captured after the battle. On June 29 the King sent instructions to the Privy Council that 300 or 400 of the prisoners should be sent to the plantations, and that the rest should be liberated on condition that they pledged themselves never again to rise in arms; and the first of these orders, which had been suggested by the Council itself, formed the principal exception to the indemnity which was proclaimed on August 14. This exception, however, was soon withdrawn, the bond of peace intended for the majority of the prisoners being offered to them all. 400 declined to purchase their liberty by signing this bond, of whom about 100

[1] *Hind Let Loose*, p. 118. [2] M'Ward's *Earnest Contendings*, p. 295.

escaped, or through the influence of their friends with the Council were unconditionally set free, and about 40 were ultimately prevailed upon to yield. The obstinacy of the remainder had a very tragic result. Several ministers entreated them, as they would not be guilty of self-destruction, not to refuse compliance; and a meeting of Presbyterian clergy at Edinburgh, the largest since the Restoration, resolved that the bond might lawfully be subscribed. Blackader, on the other hand, to whom the prisoners applied for advice, exhorted them to stand firm. After the offer of the bond had been withdrawn, about 200 petitioned that they might still be allowed to sign, whereupon most of the others refused to worship with them, and more than half of the petitioners were persuaded to draw back. The Government made some endeavour to distinguish between those who had and those who had not signed the petition; but this proving a difficult task, it was resolved to ship them all to Barbadoes. Accordingly, closely packed in a trading vessel, they sailed from Leith on November 27. The vessel was wrecked off the Orkney coast on the night of December 10; and the prisoners being under hatches, which the captain, with barbarous inhumanity, neglected or refused to open, only some 40 were saved out of 257.[1]

Meanwhile several executions had taken place. The first to suffer were two ministers, King and Kid, who

[1] Wodrow, iii. 116-119, 123-131; Crichton's *Blackader*, pp. 251-254. An Edinburgh gentleman, when Blackader persisted in dissuading the prisoners from taking the bond, told him that their blood would be required at his hands. Blackader, however, in his *Memoirs*, says that "his refusing to advise them was sweet peace to him after the sad dispensation fell out of their being cast away." It is melancholy to think of the hell-fire terrorism which cost these poor peasants their lives.

were hanged, a few hours before the indemnity was proclaimed, on August 14.[1] On November 10 thirty of the prisoners, who would not acknowledge the killing of the Primate to be murder, were put on their trial for treason. All of them might have saved their lives by taking the bond; but, though the judges called them in one by one and "obtested and entreated" them to do so, six refused. One of these was acquitted as not actually present amongst the rebels; but the other five were hanged, where Sharp had been murdered, on Magus Moor.[2]

During the fortnight which he spent in Edinburgh after the suppression of the revolt, Monmouth, at his own request, was frequently waited upon by the moderate dissenters; and though the Duke was still in Scotland, the proclamation instituting the third Indulgence, which Charles signed on June 29, must no doubt be attributed to him. The effect of this proclamation was to enforce all laws against field-conventicles, but to authorise house-conventicles south of the Tay, except within two miles of Edinburgh, including the lordships of Musselburgh and Dalkeith, and within one mile of St. Andrews, Glasgow, and Stirling. Ministers licensed to preach were to find surety[3] for their good behaviour, and none were to be licensed who had taken part in the late rebellion. By another royal letter, dated July 11, all fines for ecclesiastical offences not amounting to treason were remitted, and all imprisoned ministers not concerned

[1] Ministers and heritors, however, were excluded from the indemnity. King had been captured by Captain Creichton as he was attempting to escape into Arran. See Swift's *Memoirs of Creichton*, p. 36.

[2] Fountainhall's *Historical Notices*, i. 246.

[3] Hence the title of M'Ward's pamphlet against the third Indulgence—*The Banders Disbanded.*

in the rebellion, provided they promised to live peaceably, or at all events found caution to appear when called for, were ordered to be set free.[1] Monmouth was disgraced soon after his return to Court; and in less than a year, on the earnest petition of the bishops,[2] this third Indulgence was practically withdrawn. In May, 1680, Charles gave orders that no house-conventicles should be held and no meeting houses erected within a mile of any parish church which had a regular incumbent; that dissenting ministers should not be indulged in their former parishes; that they should not be allowed to celebrate marriage or to meet in presbyteries; and that none of them should be licensed within twelve miles of Edinburgh.[3] The reason assigned for this edict, which was so strictly interpreted by the Privy Council that by November 6 all preaching licenses, save one, had been recalled,[4] was the revival of field-conventicles; but, outside the small fanatical remnant, the attempt to continue these assemblies was speedily given up. Blackader seems to have been almost the only non-fanatical minister who still preached in the fields; and in April, 1681, leaving none to succeed him, he was captured and sent to the Bass. Welsh died in London, whither he had fled after the defeat at Bothwell, in January of that year.

With the outbreak of the Bothwell Rising, Lauderdale's administration may be said to have come to an end; for, though he retained the Secretaryship for more than a year, he was practically superseded, first by the Duke of Monmouth, and then by the Duke

[1] Wodrow, iii. 147-152.

[2] *Letters of Scottish Prelates to Archbishop Sancroft*, p. 13.

[3] Wodrow, iii. 186.

[4] *Letters of Scottish Prelates*, p. 22.

of York. He is said to have incurred the enmity of the latter by voting for the condemnation of Viscount Stafford, the last victim of the Popish Plot; and soon afterwards, having obtained proofs of his perjury in the case of James Mitchell, the Duke of York used them to destroy his credit with the King. In 1682, with the exception of his place as an extraordinary Lord of Session, which had been granted for life, Lauderdale was stripped of all his offices and honours, including a pension of 4,000*l.*, which he tried hard to retain. He died in August at Tunbridge Wells.[1]

We have seen that Lauderdale professed to regard his master's commands as above all human laws, and the principal object of his policy was to make Charles absolute both in Church and State. One of the first things he did after his triumph over Middleton was to procure an Act of Parliament offering the King an army of 22,000 men to march at his command into any part of Scotland, England, or Ireland; and the effect of the Assertory Act of 1669 as described by himself was to enable the King to dispose of bishops and clergymen and to remove and transplant them as he pleased. "Never was King so absolute," wrote the triumphant minister to Charles in reference to these Acts, "as you are in poor old Scotland."[2] Lauderdale had been a zealous Covenanter in the days of the Westminster Assembly, but he had also been proscribed by the Act of Classes for adhering to King and Parliament against the Church; and as his assertion of the royal supremacy was the

[1] Douglas's *Peerage*, ii. 71; Burnet, ii. 307, note; Law's *Memorials*, p. 234.

[2] *Lauderdale Papers*, ii. 164.

natural sequel to the second part of his career, so his attitude towards Presbyterianism was never wholly inconsistent with the first. In ecclesiastical affairs he had to carry out a policy which had been adopted contrary to his advice, and the execution of which had been irreparably mismanaged before he was permitted to take it up. It was not his fault that the Presbyterians had been fooled by Sharp, or that Middleton had declared nearly 200 churches vacant in one day; and the persecution of nonconformity, which caused the Pentland Rising, though based on a law which he himself had introduced, was prompted by the Church party in England, and was carried on by bishops and nobles who had escaped temporarily from his control. On the other hand, the attempt to put down field-conventicles, which resulted in the Bothwell Rising, was pre-eminently his work; but before addressing himself seriously to this task, he had encouraged Leighton in his efforts to bring the Presbyterians to terms, and he had settled, or offered to settle, about 140 of them in parochial cures. Moreover, the field-preachers were always a very small minority of the dissenting ministers, and even as a minority, during the last year of his life, they had ceased to exist. Lauderdale, in short, did little more than suppress rebellion or what he regarded as such, whereas those who went before and those who came after him made rebellion and the danger of rebellion a mere apology for persecuting dissent; and it is not surprising that in the darker days that were to come his faults should have been almost overlooked by two Presbyterian ministers, both of whom had suffered at his hands. "Truly," says Kirkton, "whatever the man was, he

was neither judged a cruel persecutor nor an avaricious exactor (excepting his brother and wife's solicitations) all the time of his government";[1] and Law refers to "the great minister of State" as "a man very national and truly the honour of our Scots nation for wit and parts."[2]

[1] Kirkton, p. 367.

[2] Law's *Memorials*, pp. 65, 234.

CHAPTER XXII.

FANATICISM AND REPRESSION, 1680-1685.

The Bothwell Rising had been an object-lesson in the impracticability of fanaticism; and "the godly," for whom no allies had been good enough, were now left severely alone. These people came to be known as Cameronians, from Richard Cameron, an ex-schoolmaster licensed by Welsh and Semple, who is said to have been the first to preach separation from the indulged. The real founders of the sect, however, were Brown and M'Ward, though the latter repudiated their joint handiwork, and the former would doubtless have done so had he lived. These were the men, who in their safe retreat beyond the seas had hounded out the peasantry of Scotland to defy the law, had adjured them on their salvation not to hear an indulged minister, not to pay the "cursed cess," and not to accept any favour from a sovereign, who, as they represented, had usurped the crown of Christ. Brown died in 1679; but his colleague, the worse of the two, continued to be as active and as mischievous as ever. Thus in one of his letters he denounced the bond of peace, by the signing of which a thousand of the Bothwell prisoners had redeemed their liberty, if not

their lives, as "this abominable bond, the most plain and palpable of perjuries," and the meeting of ministers, which sanctioned both the bond and the third Indulgence, as "an Erastian synagogue." In 1680 Robert Fleming, Brown's successor in the Scottish Church at Rotterdam, who had himself written against the Indulgence, not only admitted an indulged minister to his pulpit, but, when challenged for so doing, published a plea for union, in which, amongst other extravagancies, he repudiated M'Ward's absurd doctrine that nobody ought to ask anything in prayer for the indulged, except that they may have grace to repent.[1] M'Ward replied in the bitterest and most furious of all his tracts;[2] and yet, a few weeks later, we find him writing, if not in favour of union, at all events against separation. Those violent men, whose fanatical intolerance he had so carefully nursed, were now insisting that, if the Indulgence was so heinous a sin, they ought to hold aloof, not only from the indulged, but from all whose zeal against such apostates was not equal to their own; and M'Ward, not liking this application of his teaching, particularly as practised by some of the exiles against himself, complained that advantage was taken of him, and of "now glorified Mr. Brown," as if they "had made a schism and were the authors of a separation,"[3] than which, indeed, nothing could have been more true.

During the short-lived insurrection of 1679 Cameron was in Holland, whither he had gone in the previous year. M'Ward was warned that this preacher did nothing, and could do nothing, but "babble against the

[1] *The Church Wounded and Rent by a Spirit of Division*, etc., p. 13.

[2] Ἐπαγωνισμοι, or *Earnest Contendings for the Faith.*

[3] Letter appended to *Earnest Contendings*, p. 369.

Indulgence"; but, finding him to be "a man of a savoury gospel-spirit,"[1] he had "homologated" the schism — to use his favourite expression — all but avowed as it now was, by ordaining its leader. When Cameron returned in the spring of 1680, he could not prevail upon a single minister, Cargil excepted, to preach with him in the fields;[2] and soon afterwards Cargil and one Hall, laird of Haughhead, were apprehended at Queensferry. Cargil escaped; but his companion was mortally wounded, and on his person was found an unsigned manifesto, which Cargil is said to have drawn up with a view to transmitting it for approval to the exiles in Holland. In this paper the nameless "under-subscribers" abjure the King and his Council, whom they call the devil's vice-regents, and announce their intention no longer to be governed by a single person, but to set up rulers who shall govern them, except as regards polygamy and divorce, according to the precepts of the Mosaic law. They profess their belief that Presbytery is the only right government of the Church, and that this government ought to be administered "not after a carnal manner by the plurality of votes"— which would certainly have been very inconvenient for them,—but according to the word of God. They pledge themselves to do their utmost to overthrow both prelacy and the power that upholds it, and to "execute righteous judgment" on all who oppose them, and especially on blasphemers, idolaters, atheists, sorcerers, perjured and unclean persons, profaners of the Lord's day, oppressors and malignants. The seizure of this paper seems to have deprived the fanatics of whatever residue of prudence they still retained; and on June 22, at Sanquhar in Dumfriesshire, Cameron and twenty of

[1] *Earnest Contendings*, p. 156. [2] Wodrow, iii. 217.

his associates published a declaration, in which they declared war against Charles Stewart as a tyrant and usurper, and against all who had supported or even acknowledged him in his usurpation and tyranny, except only such as should "be willing to give satisfaction according to the degree of their offence." The Government offered 5,000 merks for Cameron, alive or dead, and 3,000 for his brother Michael, Cargil, and Douglas; and on July 20, on the information of an indulged minister, who had been told that they meant to take his life,[1] the fanatics were surprised by a party of dragoons at Airsmoss in Ayrshire. The two Camerons and at least seven others were killed on the spot; and Hackston of Rathillet, after a desperate struggle, was taken prisoner. This man, the chief of Sharp's murderers, could expect no mercy. He was executed on the 30th with the utmost barbarity that the law allowed; and the other prisoners, two in number, were executed soon after.[2]

Cargil, who had parted from Cameron only a day or two before the encounter at Airsmoss, was now the sole remaining field-preacher. He was over sixty years of age, and had been one of the ministers of Glasgow before the Restoration; but in reckless audacity he was more than equal to the youngest of his sect. In September, at the Torwood, near Stirling, after preaching from the text, "Thou profane wicked Prince of Israel whose day is come," he formally excommunicated the King, the Dukes of York, Monmouth, Lauderdale and Rothes, Sir George Mackenzie, Lord Advocate, and General Dalyell; and two copies of this absurd sentence were speedily posted up

[1] Row's *Blair*, p. 569. [2] Wodrow, iii. 202-223.

in the streets of Edinburgh.[1] Cargil contrived to elude capture till the following July; but in November three of his followers were hanged; and in the course of the next year, from January 26 to October 10, no fewer than eighteen Cameronians, including Cargil himself and two women, were put to death. The principal evidence against these people, labourers and mechanics for the most part, was their answer in the affirmative to the question whether they disowned the King in terms of the Sanquhar Declaration. None of them denied, and not a few of them admitted, that they thought it lawful to kill both the King and his servants, and that they would kill them if they could. One man was found to have a knife about him with the inscription, "This is to cut the throats of tyrants," and said, "If the King be a tyrant, why not also to cut his throat?" They might all have saved their lives by a mere profession of loyalty, and the Government on this point had no wish to press them hard. Several of them declined a reprieve when it was offered on the sole condition that they should say, God save the King; one was pardoned on his declaration that he thought it unlawful to rise in arms except in self-defence, and that he acknowledged the King to be supreme in all civil, but not in ecclesiastical, affairs, which was contrary to law; and proceedings were dropped against another, who said he "owned the King so far as he owned the Covenant"—that Covenant which the King had caused to be burned. They repudiated

[1] "O whither shall our shame go, at such a height of folly are some men arrived."—Law's *Memorials*, p. 161. The Torwood excommunication is in the appendix to the *Cloud of Witnesses*, edition 1871. The editor's notes are very inaccurate.

all ministers, Episcopalian, indulged, and non-indulged, except Cargil; but an attempt was made to reclaim the two women by means of a minister named Riddell, who was confined with them in the Tolbooth, because he had refused to promise not to preach in the fields, and whose "much entangled scrupulosity" —to use Burnet's phrase—the Council had laboured in vain to overcome.[1] Riddell, however, could make nothing of the prisoners, who refused to pray with him or even to hear him pray.[2]

M'Ward and his satellites had turned the heads of these simple people with their pestilent nonsense about the Assertory Act as an usurpation by King Charles of the Redeemer's crown; and the opinion was expressed in some quarters that they ought to have been confined as lunatics, instead of being allowed to impose on themselves and on the more ignorant of the populace as martyrs for the truth. There were others, however, whose need of such treatment could hardly be denied. About the beginning of this year, 1681, three men and twenty-six women of West Lothian were led astray by John Gibb, a shipmaster of Bo'ness, who taught them to shun all who would not unite with them as under a curse, and in preparation for some remarkable judgments, which he believed to be close at hand, to give up work and to spend their time in fasting and praying, and, particularly, in singing psalms. They all took Old Testament names, Gibb himself assuming that of King Solomon;[3] and after a while they formed themselves into an ambulatory conventicle of no very formidable

[1] See his examination in Wodrow, iii. 197-202.

[2] Fountainhall's *Historical Observes*, pp. 29, 30, 45, 49; *Historical Notices*, i. 332; *Cloud of Witnesses*, p. 123.

[3] Fountainhall's *Observes*, p. 29.

kind, since, though Gibb and another man carried pistols, they used them only to frighten away husbands who came to look for their wives. One Sunday, finding himself within a mile of their encampment, Cargil attempted to reclaim these wanderers from the fold; but the Gibbites insisted that he should make public confession of his sin in leaving the country for three months to take refuge in England, and also that he should engage to preach to none but them; and Cargil, having argued in vain against the injustice of these terms, pronounced Gibb to be "an incarnate devil." In the month of May "the sweet singers of Israel," as they called themselves, were picked up by a party of dragoons and carried to Edinburgh, where the women were confined in the Correction House, and the four men in the Canongate Tolbooth. These male singers beguiled their captivity by drawing up a covenant of so very novel a nature that it was rejected with horror by all the twenty-six women. It had always been the boast of Scottish Presbytery that it took its stand on the written Word, and rejected all rites and doctrines which could be regarded as the inventions of men. In their new covenant, however, Gibb and his disciples carried this so far that they rejected the psalms in metre, the table of contents, the division into chapters and verses, the impression and translation of both Testaments, and even the scores between the various books. On the same principle, and in the interest of "a more pure cause which we term Holiness, to be built upon the Word of God," they renounced all covenants and confessions, from the National Covenant of 1638 to the Sanquhar Declaration, all forms of church government, of doctrine, discipline, and worship, the names of weeks and months as well as of festivals, books of all kinds, and, in a word,

"all the customs and fashions of this generation, their way and custom of eating and drinking, sleeping and wearing." They also renounced all authority throughout the world, and declared that "there is none in the kingdom, in prison or out of prison, that we can converse with as Christians." The Duke of York, at this time in Edinburgh, was greatly entertained with the vagaries of these Gibbites, who, on finding security for their peaceable behaviour, were all set free in the beginning of August. In 1684, having been apprehended for some fresh offence, Gibb was banished to America, where he is said to have been "much admired by the heathen for his familiar converse with the Devil."[1]

The Duke of York came to Edinburgh in November, 1679, as he had previously gone to Brussels, in order to avoid the "no-popery" agitation which had found vent in the Exclusion Bill; and in the summer of 1681, a Scottish Parliament, over which the Duke himself presided as Commissioner, attempted to vindicate both the national creed and the principle of hereditary right. On August 13 two Acts were passed, one of which ratified all statutes in favour of the Protestant religion, as professed within the realm, and all statutes against popery, and the other declared that no difference in religion and no Act of Parliament, made or to be made, could alter the right of succession to the Crown as it existed in the next of kin, and that any attempt, were it only by writing or speaking, to alter, suspend, or divert that right should infer the pains of high treason. On the 31st was passed an Act for the strict execution of all laws against Romanist and Protestant dissenters, which required the clergy in October of each year to furnish

[1] Walker's *Biographia Presbyteriana*, ii. 15-23. Gibb's covenant is in Wodrow, and in the appendix to Sir George Mackenzie's *Vindication*.

the bishops with a list of those who absented themselves from church, and which also prescribed an oath to be taken by all persons in public trust, except the lawful brother and sons of the King. The subscriber of this oath, known as the Test, swore that he professed the true Protestant religion as contained in the Knoxian or Scottish Confession; that he acknowledged the King to be the only supreme governor of the realm over all persons and in all causes, as well ecclesiastical as civil; that he renounced all foreign jurisdictions, and should bear true allegiance both to the King and to his legal heirs; that he thought it unlawful for subjects to enter into leagues, or to assemble in conventions for the purpose of discussing any matter relating to Church or State, without the King's special command; that he should never rise in arms; that he found himself under no obligation from the Covenants, or in any other way, to compass a change in the government of Church or State; and that he should never decline the King's jurisdiction, as he should answer to God.[1]

This oath had evidently been framed at Court on the principle that the future King ought to be indemnified in political power for the disabilities imposed upon his creed; and the Act is said to have encountered so much opposition in Parliament that it was carried by only seven votes. The allusion to the Scottish Confession, which, though an obsolete standard of belief, was now the only one recognised by law, was inserted, after a long debate, on the motion of Sir James Dalrymple, President of the Session, who had hoped, not without reason, that it might cause the measure to be thrown out, since the Confession contained statements so much at variance with the substance of the oath as that Christ

[1] These Acts are in Wodrow.

is "the only Head of his Kirk," that it is a duty to one's neighbour to repress tyranny, that the sovereign is to be obeyed in things "not repugning to the commandment of God," and is not to be resisted in that "which appertains to his charge." It seems, however, that Dalrymple was almost the only person present who had ever read the Confession; and perhaps on these points he did not venture to enlighten the House. Apart from the incongruity of the two documents, which they were careful to expose, the more conscientious of the clergy found much to object to both in the Confession and in the Test; and with reference to the latter, they asked how they could acknowledge the King's right to alter the present ecclesiastical system, if they believed it to be divine, and how they could swear to maintain it, if the King might alter it at will. The Synod of Aberdeen agreed upon a paper explanatory of the meaning which they attached to the Test, as also did the Synod of Dunkeld; and on November 2 the Privy Council authorised the bishops to administer the Test to their clergy in the sense that it did not bind them to every clause of the Confession, but only to the true Protestant religion contained therein; that it made no encroachment on the intrinsic spiritual power of the Church or power of the keys; and that it was without prejudice to episcopal government, which the King had pledged himself to maintain.[1]

This explanation, issued on the doubtful authority of the Privy Council, was hardly consistent with the last words of the oath, which declared that it was taken "in the plain genuine sense and meaning of the words, without any equivocation, mental reservation, or any

[1] Burnet, ii. 309-312; Wodrow, iii. 305-309.

manner of evasion whatsoever"; but it did well enough to satisfy those whose scruples resolved themselves into the maxim, No bishop, no Church. There were others, however, whose objections to the Test proved insuperable, because they were based on broader and more rational grounds. The most influential of these men was Laurence Charteris, that "great enemy to large confessions of faith, especially when imposed in the lump as tests." Charteris was now Professor of Divinity at Edinburgh; and there can be little doubt that the paper, which Wodrow supposes to have been drawn up by some of the ministers about Edinburgh, and which is mentioned also by Law, was inspired, if not penned, by him. The authors of this paper make several strictures on the Confession, as, for example, that it denies the validity of popish baptism, and that it condemns everything in matters of religion which is done, not only *contra*, but *praeter verbum Dei*; and they say that, as some of their brethren cannot acknowledge the King's right to alter Episcopacy, so they cannot swear not to alter a system which they believe to have no divine sanction, and to be much in need of reform. Their chief objection to the Test, however, is that it will give a great advantage to popery by widening and deepening the Protestant schism. They point out that it is equivalent to that abjuration of the Covenant which had caused so great a secession from the Church of England, but which had not hitherto been imposed on the Scottish Church; that it will much aggravate the popular prejudice against Episcopacy; and that it will alienate many Presbyterians, ministers, and laymen, who daily concur with them in worship, and for the sake of gaining whom they think that some concession might have been made. They also complain that they

are required to inform against all who absent themselves from church, and this in terms of an Act, which, by exempting them from the Test, allows the brother of the King and his sons *in perpetuum* to profess what religion they please.[1]

A considerable number of ministers adhered to the principles of this enlightened protest, and in consequence resigned or were deprived. Gilbert Burnet, indeed, reckons them as nearly eighty; but this estimate is certainly much too large. Paterson, Bishop of Edinburgh, writing to Sancroft in February, 1683, stated that there were more recusants in the two contiguous Presbyteries of Haddington and Dalkeith—that is, in the district associated with Scougal and Burnet, with Charteris and Leighton—than in all the rest of Scotland;[2] and the number of ministers deprived in these two Presbyteries was seventeen.[3] One or two of the recusants were high-flying Episcopalians; but, with these rare exceptions, they were all of the moderate type, which the Marquis of Queensberry described as "a mongrel betwixt Presbytery and Episcopacy."[4]

Sir James Dalrymple, for refusing to take the Test, was deprived of his place as President of the Session; and a good many nobles and gentlemen, Catholic and Protestant, were superseded on this account in their heritable jurisdictions. During the debate in Parliament, the Earl of Argyll had incurred the displeasure of the Duke of York by proposing that exemption from the Test should be granted specially to him, and not to the King's brother and sons. On November 3, the day

[1] Wodrow, iii. 306-308.

[2] *Letters of Scottish Prelates to Archbishop Sancroft*, p. 54.

[3] As appears from Scot's *Fasti*.

[4] *Aberdeen Papers* (Spalding Club), p. 5.

on which the Privy Council issued its explanation, he consented to take the oath, with this addition, that he took it in so far as it was consistent with itself and with the Protestant religion, and that he was not thereby restrained from compassing any alteration in Church and State in a lawful way. The second of these glosses had been suggested by the Synod of Aberdeen, and the first was practically embodied in the official explanation. Nevertheless, on a charge of misrepresenting the King's laws, Argyll was tried and condemned for treason; and though the sentence to be passed on him was referred to the King, he deemed it prudent to effect his escape. Argyll had incurred great unpopularity through his refusal to pay his own and his father's debts; and if the Government had accepted his explanation of the oath, the Presbyterians would probably have taken no further interest in one, who had indeed opposed the Test Act in Parliament, but who had previously been notorious for his support of all Lauderdale's repressive measures. As it was, they were content to accept him as a witness to the faith, and, in the words of Fountainhall, "to turn their crucifiges into Hosannas."[1]

The Test Act was eagerly supported by Alexander Burnet, who, on the assassination of Sharp in 1679, had been promoted to the archbishopric of St. Andrews. Burnet was still the same weak-minded and hysterical priest who had advocated the utmost severity towards the Pentland rebels, on the ground that they were more formidable after than before their defeat. He was always convinced that the Church was on the brink of

[1] *Historical Observes*, p. 54. About seventy years ago, Argyll was promoted to the rank of a "Scots Worthy"; but, needless to say, his career in that character begins in 1681. See M'Gavin's edition of the *Scots Worthies*, i. 458.

ruin, as indeed, with such a primate, it could hardly fail to be, and that the least concession to dissenters would be absolutely fatal. When he found that many of the clergy scrupled to take the Test, he called this "a dangerous and desperate plot." He thought it a "mystery of iniquity" that seventeen Lothian ministers should have entered into a "combination" to refuse the Test; he believed they had received assurances that their subscription would not be enforced; and he hastened to assure Archbishop Sancroft that, "if an indulgence be allowed to any person upon any consideration whatsoever, our labour will be lost, and this poor Church utterly undone."[1] Twelve years earlier, this prelate had been deprived of his see for protesting against an exercise of the royal supremacy; and now the Church was to be "utterly undone," if a single clergyman should be tolerated in refusing to acknowledge that supremacy, not in its original form, but as strengthened and extended in reply to Burnet's own protest. Burnet, however, had never had any quarrel with the supremacy, so long as it was not exerted in favour of toleration; and he knew that in this instance its enforcement would have quite the opposite effect. The Test, in fact, proved a fatal stumbling block, not only to Charteris and the moderate Episcopalians, but to the few nonconformists, overlooked at the Restoration, who had hitherto been allowed to retain their cures.

Burnet entered on his duties as Primate only a few months before the arrival in Scotland of the Duke of York; and his idea of the necessity of repression was fully shared both by that prince and by the two statesmen who were chiefly responsible for the conduct of affairs. These were the Earl of Queens-

[1] *Letters of Scottish Prelates*, pp. 35, 36.

berry, Justice-General, and Sir George Gordon of Haddo, Dalrymple's successor as President of the Court of Session. In 1682 Queensberry became Treasurer with the title of Marquis, whilst Gordon was made Chancellor and Earl of Aberdeen.

If the blundering violence of the new administration can be called a policy, it was a policy as foolish as it was cruel. Conventicles—field and even house conventicles—were now practically extinct. The frenzied Cameronians, whose sole remaining field-preacher had been put to death in July, 1681, were regarded with horror and contempt by most of their dissenting brethren; and Presbyterian ministers, in order to dissociate themselves from the fanatics, were beginning to communicate with the Established Church.[1] Tweeddale, in procuring the first Indulgence, had foreseen that it would lead to such a schism as this; but ever since the Duke of York came to Scotland, emboldened by the collapse of armed resistance, the Government had been harassing the mass of the dissenters, whose moderation it was its own interest to recognise, on the ground that they were responsible for excesses, which proceeded only from a distracted few. In 1680, at the urgent request of Archbishop Burnet, the third Indulgence was withdrawn; in 1681 was passed the Test Act; and in 1682 extraordinary efforts were made, not to put down illegal meetings, but to re-fill the parish church. Graham of Claverhouse, the captain of horse, whose repulse at Drumclog had been the signal for the Bothwell Rising, was probably the least intolerable agent in this petty persecution, not because he was more merciful than his colleagues, but because he was

[1] Wodrow, iii. 242.

too keen-sighted not to perceive, and too conscientious not to act on the perception, that indiscriminate severity defeats its own ends. He is said to have cherished a warm admiration for the late Marquis of Montrose, whose family and his own were descended from the same stock; but needless to say, the Montrose he admired was the devoted champion of the dethroned and martyred Charles, and not the sober idealist who had sought to reconcile the Covenant and the Crown. Nor was his loyalty, though sincere, of quite so self-forgetful a type, for he was soon to prove himself what his biographer calls "a first-rate jobber at Court.[1]

In the beginning of the year 1682 Claverhouse was made sheriff of Wigtown in place of Sir Andrew Agnew, who had refused the Test; and on January 31 he was sent thither, as well as into Dumfries, Kirkcudbright, and Annandale, on a mission very similar to that which, as executed in the same district by Sir James Turner, had occasioned the Pentland revolt. His instructions required him to prosecute all persons implicated in the late rebellion, heritors excepted, who had excluded themselves from the indemnity by neglecting or refusing to take the bond of peace, and all persons who, since the issue of the indemnity, had frequented conventicles or withdrawn themselves from church.[2] The plan he adopted was to show no mercy to the first of these classes, but with regard to the second, to punish only the ringleaders, and in general to threaten rather than to strike. When he came into Galloway, he found about 400 nominal outlaws who had never been molested in person or goods; and these

[1] Napier, ii. 311.

[2] Wodrow, iii. 370.

he pursued with such merciless rigour—hunting them from place to place, quartering on their lands, rifling their houses, reducing their families to starvation—that most of them were glad to accept a safe conduct to Edinburgh in order to make their peace with the Government by taking the bond. Lesser offenders, overawed by such severity, were easily reclaimed. Claverhouse called them together—several parishes at one place—showed them the penalties they had incurred, and told them that none need suffer anything who were willing to conform. This they speedily did. They came to church, not one by one, but in such numbers that it became necessary to read the roll after sermon in order to detect absentees; where there had been ten worshippers, as at Kirkcudbright, there were first three hundred, and then six or seven; and the women came almost as readily as the men. The few who remained obstinate, heritors especially, were severely punished; but up to the first of April no fines had been levied and nobody had been imprisoned in Nithsdale, Annandale, and Kirkcudbright. "I must say," wrote Claverhouse, "I never saw people go from one extremity to another more cavalierly than this people does." The "curates" were much elated, though most of their parishioners came only to talk or sleep; the bishops exhausted their servility in extravagant laudation of the Duke of York; and Archbishop Burnet admitted a "little reviving" in the state of the Church. Commissions similar to that of Claverhouse were granted in several other districts; and in these it is to be feared that a less complete conformity was obtained at a much heavier cost.[1]

[1] Despatches of Claverhouse in Napier's *Memorials*, ii. 258-279; Burnet, ii. 327; *Letters of Scottish Prelates*, p. 48.

The success of the persecution, due to the general exhaustion of its victims, caused it to be carried on with ever increasing vigour. In December a country gentleman was executed, nominally for his share in the Bothwell Rising, which was not proved, in reality because he had refused the Test; and in February, 1683, one William Lawrie of Blackwood, factor to the Marquis of Douglas, was condemned to death for having restored some of his tenants, who had been in the rebellion, but who had never been convicted or even accused of that crime. Such severity could be justified only on the assumption that a person suspected of having once been in arms against the Crown ought to be shunned by his neighbours as a moral leper; and Lawrie's counsel pointed out that on this principle a man might be hanged for conversing with so-called rebels, who on examination might prove not to be rebels at all. After he had been thrice reprieved in order to give him time to settle his accounts with the Marquis of Douglas, Lawrie was pardoned on the representation of the Privy Council—surely a very strange one—that the Marquis could not dispense with the services of his steward;[1] but the extension of the law of treason, great as was the panic it excited, was soon carried to a still greater length. On April 13 a proclamation was issued, authorising the Privy Council and its deputies throughout the country to call before them all persons suspected of having harboured or conversed with rebels, whether by accident or by design, and whether or not the rebels had been denounced as such; and this power, restricted to offences committed before the first of May, was to hold good to the first of January next, and for three years thereafter. It was also intimated that rebels, who had

[1] Wodrow, iii. 416-420, 449-452.

lost the benefit of the indemnity by not taking the bond of peace within the prescribed time, should be indemnified, if they took the Test before the first of August; and for this purpose, as well as for punishing recusants, circuit courts were to be held at Edinburgh, Glasgow, Stirling, Jedburgh, Dumfries, and Ayr.[1]

Gilbert Burnet remarks with good reason that "this was perhaps such a proclamation as the world had not seen since the days of the Duke of Alva."[2] Nearly four years had now elapsed since the rebellion was suppressed at Bothwell Bridge; and for nearly four years more no man would be able to consider himself safe, who during that period had conversed with any of the rebels, many of whom had never been challenged at law, and many more, as Claverhouse discovered in Galloway, had been outlaws only in name. This inquisition, as enforced by the circuit courts, proved vexatious in the extreme. In Lanarkshire over a thousand persons, and in Ayrshire far more than a thousand, were summoned for nonconformity, rebellion and intercourse with rebels; and in most parishes the persons cited as witnesses outnumbered the persons accused. All these people were put to great expense in coming to and attending the courts; and the Government hailed it as a signal triumph, when great numbers of persons, outlawed and suspected, came forward to take the Test, as if zealous Presbyterians who, four years ago, had refused to pledge themselves never again to rise in arms, were at all likely to be sincere, when they swore to defend the King's rights as supreme governor of the realm over all persons and in all causes, both ecclesiastical and civil. The Test now became as great an instrument of persecution as the Covenant had once been; for, though legally it could

[1] Wodrow, iii. 475-478. [2] *Own Time*, ii. 331.

be imposed only on office-holders, whoever refused it, when offered, was sure to be prosecuted under one or other of the penal laws; and the dissenters, whose religious meetings Lauderdale had endeavoured to suppress, were thus called upon, as a mere matter of opinion, to abjure Presbyterianism itself. [1]

Under such an administration the Presbyterian incumbents can scarcely have hoped to retain their cures. When the circuit courts returned to their work in autumn of the following year, 1684, besides being required to expel from their homes the wives and children of forfeited persons who refused to declare on oath that they had not conversed with their husbands and parents, to banish all suspected persons who scrupled to take the oath of allegiance, and to proceed, if necessary, to fire and sword, they were required also to eject such of the indulged ministers as should be found to have transgressed their instructions; and on November 27, by an Act of Council, all the Presbyterian incumbents were turned out.[2] Archbishop Burnet would have joyfully sung his *Nunc Dimittis* had he lived to sign this edict; but the career of that prelate had terminated on August 24. Amongst the evicted ministers, most of whom were imprisoned for refusing to pledge themselves not to preach within the realm, were William Vilant, who had written a very able reply to Brown's *History of the Indulgence*; John Knox, who had explained to Charles II. during his exile how the clergy contrived to evade the law against praying for the King;[3] and Ralph Roger, a minister

[1] "I believe that both Covenant and Test were formed by Church Men to ruin each other by turns, and were tricks of kirk and church." *A Letter from the West to a Member of the Meeting of the Estates of Scotland*, 1689.

[2] Wodrow, iv. 40, 114.

[3] See page 172, note.

so much opposed to the Cameronians that, after reading one of the public papers against them, he "blessed the Lord that none of that sort of people were in his parish."[1]

About this time several Scotsmen were prosecuted on account of those political intrigues connected with the Rye House Plot, which in England caused the execution of Lord Russell and Algernon Sidney. The three Scottish conspirators who suffered most were one Spence, the Earl of Argyll's chamberlain, William Carstares, and Baillie of Jerviswood. The first of these, after being booted, kept awake in a hair-shirt for seven or eight days, and tortured with the thumb screws, consented at last, when the boot was to be again applied, to decipher some documents which incriminated Carstares. Carstares endured the thumbscrews without flinching for more than an hour; but next morning, when threatened with the boot, he made a deposition, which, though he had stipulated to the contrary, was used with fatal effect against Baillie at his trial. Carstares, however, might easily have escaped torture, if he had volunteered to reveal certain secrets entrusted to him by the Grand Pensionary of Holland, of which the Privy Council knew nothing; and the fidelity he showed on this occasion is said to have won for him the life-long confidence of the Prince of Orange.[2]

Meanwhile the Cameronians continued to hurl defiance at a Government which they were utterly unable to resist. Soon after the execution of Cargil, having no longer a minister whom they could recognise as a common head, they had formed themselves into societies, which were to send delegates every quarter to a general

[1] Alexander Shield's *Life of Renwick*, p. 31.

[2] Story's *Carstares*, pp. 79-109; Burnet, ii. 431.

meeting; and at the first of these meetings, held on December 15, 1681, they agreed upon a declaration similar to that of Sanquhar, the publishers of which, though they had consisted of only twenty-one persons, they called "a general and unprelimited meeting of the estates and shires in Scotland."[1] The use of such a phrase was regretted, and afterwards disavowed by James Renwick, who proclaimed the manifesto at Lanark, and probably also at Haddington and Dalkeith, at each of which places the Test Act and the Act of Succession in favour of the Duke of York were publicly burned;[2] and in September, 1683, having discovered some ministers in Holland generous enough to give him ordination after he had refused to sign their formularies and had protested against the corruptions of their Church, Renwick, in his twenty-second year, took up the work, which was to end for him, as it had ended for Cameron and Cargil. The revival of field-preaching, at a time when it could serve only to furnish candidates for imprisonment, torture, and death, was condemned by all but the future martyr and his adherents as a piece of reckless and criminal folly. The Presbyterian ministers, looking to this result of his mission, as well as to the greater severity which was practised in consequence against themselves, denounced Renwick as "the great cause and occasion of all the troubles of the country"; and after he had eluded capture for about twelve months, some of them insinuated that he and the soldiers understood each other so well that they had agreed to postpone a consummation which would be unprofitable to both.[3]

[1] *Informatory Vindication, etc., of the true Presbyterian Church of Christ in Scotland*, p 93. This declaration is not in Wodrow, but a summary of it is given by Crookshank.—*History*, ii. 175.

[2] Law's *Memorials*, p. 214. [3] Shield's *Renwick*, pp. 52, 53.

At this period, however, the Cameronians took a step, which showed plainly that they and their pursuers were on anything but friendly terms. In November, 1684, with some reluctance on the part of Renwick, they published an "Apologetical Declaration and Admonitory Vindication," in which, after announcing that they thought it a "hellish principle" to kill all who differed from them in judgment, they enumerated several classes of their enemies—judges, officers, and soldiers, gentlemen and commons who assisted to hunt them down, "viperous and malicious bishops and curates," who incited to persecution, persons who raised the hue and cry, and all such as informed or gave evidence against them—and declared that these, or at all events the more cruel of these, after due deliberation and common consent, should be punished as "enemies to God and the covenanted work of reformation."[1] This declaration so fully substantiated the worst charges against the Cameronians that some people supposed it to have been invented to that end by the soldiers, or even by the Council itself;[2] but it cannot excite surprise that these hunted wanderers should have fallen back on a doctrine which had been asserted by Scottish Presbytery in the zenith of its power. We have seen that in 1650 the Commissioners of the Church had caused Huntly to be put to death on the principle that whoever made war on the Covenant to the shedding of blood was a murderer, and ought to be executed as such; and this, in substance, had been the teaching of Andrew Melville, and before him of Knox. The Cameronians, however, were unable to clothe the hideousness of this doctrine in the techni-

[1] Wodrow, iv. 148-149.

[2] Fountainhall's *Historical Observes*, p. 141; Patrick Walker's *Life of Renwick* (in *Biographia Presbyteriana*), p. 77.

cality of legal forms; and they had done enough to make it impossible that their threat of cutting off all who attacked them, directly or indirectly, should be regarded as no more than a threat. The outcome of their tenets, and of the merciless persecution to which they were exposed, had lately been illustrated by several murderous assaults, the worst of which had occurred in the previous year, when M'Lellan of Barscob, one of the Bothwell heritors, had been strangled in his own house, because he had procured his liberation by signing the bond of peace;[1] and the issue of the "Apologetical Declaration" was followed by the murder of two life-guardsmen, and soon afterwards by that of an Episcopal minister. The first of these outrages convinced all doubters that the Declaration was a genuine document, and that its authors meant to be as good as their word. On November 22 the Privy Council resolved that whoever owned or refused to disown the late treasonable manifesto should be immediately put to death, provided that two witnesses were present, as well as the person or persons whom the Council had commissioned to this effect. On the following day a commission in terms of this Act was despatched to the district in which the two troopers had been killed, with this difference, however, that, whilst those who owned the "Apologetical Declaration" were to be executed on the spot, those who refused to disown it were to be judged by a jury; and on December 30, after the minister of Carsphairn had been murdered,[2] a proclamation was issued to the effect that no person,

[1] Law's *Memorials*, p. 258. Several indulged ministers were threatened or attacked, but none of them were killed.

[2] This outrage, though they refused to call it murder, was disowned by the Cameronians as "being gone about contrary to our declaration, without deliberation, common or competent consent."—*Informatory Vindication*, p. 107.

man or woman, over sixteen years of age should presume to travel without a certificate from a member of the Council, or one of its deputies, that they had abjured the late declaration, "in so far as it declares a war against his sacred majesty, and asserts that it is lawful to kill such as serve his majesty in church, state, army, and country." These severe measures inaugurated that last and most cruel phase of the persecution, which is known in Cameronian annals as "the killing time."[1]

Charles II. died on February 6, 1685. He had taken but little interest in Scottish affairs; but, owing to the policy adopted by his successors, his death constitutes an historical epoch.

[1] Wodrow, iv., 147-162. The total number of persons "killed in the fields" on account of the "Apologetical Declaration" is said to have been 78; but a good many of these were shot in trying to resist or escape capture. Renwick was often heard to say that "he wished from his heart that declaration had not been published."—Walker's *Renwick*, p. 80.

CHAPTER XXIII.

THE REVOLUTION, 1685-1688.

On February 10, 1685, four days after the death of Charles II., the Duke of York was proclaimed at Edinburgh as James VII.; and on April 28 a new Parliament, the first and last to be elected according to the Test, met under the Duke of Queensberry[1] as Lord High Commissioner. The King in his letter to the Parliament declared his resolution to maintain the royal power "in its greatest lustre" in order to defend the religion, the rights and properties of his people "against fanatical contrivances, murderers, and assassins"; and Queensberry having assured them that it was the King's intention to maintain the religion and government of the Church as established by law, the Estates made a most dutiful reply, in which they declared that they should leave nothing undone to extirpate fanaticism, that they considered the King's commands as sacred as his person, and that the only way to be popular with them was to be eminently loyal. The deeds of the Parliament in this session did not belie its words. It was declared to be treason not only to refuse the oath of abjura-

[1] Queensberry had been created a Duke in the preceding November.

tion, but to give or take the National Covenant "as explained in the year 1638," or the Solemn League and Covenant, to write in defence of these documents or to own them as lawful; preachers at house or field conventicles, and hearers as well as preachers at the latter, were to be put to death; husbands were to be fined, if their wives absented themselves from church;[1] tenants were to be bound by a clause in their leases to "live peaceably and regularly, free of all fanatical disorders"; and all Protestant heritors were required to take the Test.[2]

On May 28 the Cameronians issued another Sanquhar Declaration, in which they disowned the King as a murderer, idolater, and subject of Antichrist, and the Parliament as limited in the due liberty of election, and as consisting of perjured persons who were "carrying on apostasy and making way for the Man of Sin."[3] Before the Estates adjourned on June 16, Argyll had landed on his unfortunate expedition in support of the Duke of Monmouth. After a slight encounter with the royal troops at Lochwinnoch in Renfrewshire, he was taken prisoner; and on June 30 he was executed without further trial on his former sentence.

Unlike the late King, whom he resembled only in the extravagant license of his private life, James VII. was a true son of Charles I. More truthful and much less humane, he was equally obstinate, unimaginative, and narrow; he had the same love of power for its own sake, and the same devotion to a

[1] Lord Aberdeen had been dismissed from the Chancellorship in 1684 for opposing this policy.

[2] Wodrow, iv. 259-282. Burton, vii. 264, confuses this legislation with that of the following year.

[3] *Informatory Vindication*, pp. 101-108.

fixed religious idea. When Charles I. attempted to impose his liturgy in 1637, he had to reckon with nobles whom he had offended by his commutation of tithes, with a middle class whose Puritan prejudices his father had trodden under foot, with a peasantry whose ignorance and superstition were becoming tinged with religious zeal, and, in general, with a nation which was growing restive after a long period of comparative peace. At the accession of King James the country was held down by a large military force, the upper classes were effusively loyal, and the Presbyterian sentiment, though still strong south of the Tay, was shocked and discredited by the excesses of the Cameronians, and had spent itself to no purpose in two ruinous revolts. In these circumstances, it is not probable that any serious opposition would or could have been made, if the Government, following up certain steps which it had recently taken in that direction, had introduced the Book of Common Prayer.[1] King James, however, as became a devout Catholic, was determined to obtain toleration, if not supremacy, for his own Church; and it soon appeared that no class of the community was prepared to assist him in getting rid of the penal laws. Parliament, loyal as it was, had given no indication that on this point it would be likely to give way. Its first Act had been a ratification of all statutes in favour of the reformed religion as professed within the realm. In making it treason to own the National Covenant "as explained in the year 1638," that is, in so far as it

[1] In 1680 the Privy Council authorised the use of the English Liturgy in family worship; and in 1684 preparations were being made to introduce it into the Chapel Royal.—Clarke's *Letters of Scottish Prelates*, pp. 69, 72.

militated against Episcopacy and the Perth Articles, the Estates had been careful not to overthrow that bulwark of the Protestant faith. The Bishops of Ross and Dunblane had opposed the extension of the Test; and the former had supported Sir John Lauder of Fountainhall, when he urged that Catholics should not be exempted from the Act.[1]

Amongst the King's ministers, indeed, one or two proselytes were gained. The Earl of Perth, in the course of a frequent correspondence with Archbishop Sancroft, had expressed an extraordinary devotion to the Church of England as "the best and holiest of Churches," and that in communion with which he hoped to live and die.[2] Perth was now the rival of Queensberry, through whose influence he had supplanted Lord Aberdeen as Chancellor;[3] and in September of this year, at the bidding of the King, who called upon them to explain their mutual recriminations, and accompanied by a crowd of their respective adherents, both statesmen went up to Court. Queensberry appears to have had the better case—at all events, being related by marriage to the King's brothers-in-law, the Earls of Rochester and Clarendon, Treasurer of England and Lord-Lieutenant of Ireland, he could rely on powerful support; and Perth's political career at this period might very possibly have been cut short, if he and his brother, Lord Melfort, one of the two Secretaries of State, had not thought good in such extremity to transfer their allegiance from

[1] Wodrow, iv. 274. Bishop Ramsay had been translated to Ross in 1684, his successor in Dunblane being Robert Douglas, translated from Brechin.

[2] Clarke's *Letters of Scottish Prelates*, pp. 41, 73.

[3] Queensberry and Perth are said to have given 27,000*l.* to the Duchess of Portsmouth in order to enlist her influence against Aberdeen.—Fountainhall's *Notices*, ii. 745.

"the best and holiest of Churches" to the Church of Rome, and to announce that the King had been the instrument of their conversion by showing them two papers, which he had found in the cabinet of Charles II.[1] Perth was in some apprehension lest even this sacrifice should prove to have been made in vain; but Earl Halifax consoled him with the contemptuous assurance that his faith would make him whole.[2]

The converted Chancellor, whose zeal was such that the Catholics said he "would jade the Mass, he caused say it so oft," returned to Edinburgh on December 24. On Christmas Day he rocked an infant in its cradle; and soon afterwards, to the dismay of the Custom House authorities, a collection of crucifixes, beads, and vestments arrived for him at Leith. This "trash," as Fountainhall calls it, was intended for the fitting up of a Catholic chapel; and the establishment of such an institution at Edinburgh, where it had been unknown since the Reformation, was not conducive to the public peace. One Sunday, as the Countess of Perth and several other ladies were leaving the chapel at the conclusion of Mass, they were beset by a mob of apprentices, who hooted and jostled them, and pelted them with mud. On the following day, when one of their number was being flogged through the Canongate for his share in this tumult, the apprentices rose again, rescued their comrade from the hangman, whom they beat with his own scourge, and seconded by some University students,

[1] Burnet is not quite accurate when he says that the two papers were published "at that time." The papers were not published till the beginning of the year 1686, and Perth returned to Edinburgh on December 24, 1685. It appears, however, from Evelyn's *Diary* that James showed the papers to Pepys shortly before October 2; and no doubt about the same time he showed them also to Perth and Melfort.

[2] Burnet, iii. 70.

kept the town in an uproar all night. Soldiers were brought down from the Castle to reinforce the town-guard; and provoked by some stone-throwing on the part of the mob, they fired a volley which killed a woman and two men. This insult to the Chancellor's religion and his own was highly resented by the King, who directed that the guilty should be punished with the utmost rigour of the law, and, "above all," that no expense and no effort, whether by torture or otherwise, should be spared to discover who had set them on. The Privy Council had already reprieved two of the rioters; but on receipt of this letter they caused several persons to be put to death.[1]

It was James's intention that the Catholics should be protected both from and by the law. In November he had directed that an Act of the late session of Parliament, appointing commissioners of supply in the various shires, should be dispensed with in the case of twenty-six persons, all of them Papists, in so far as it required them to take the Test. In January, 1686, the Chancellor was empowered to continue in office without renewing or conforming to this oath. On March 2 Queensberry was deprived of the Treasury to administer it with Perth and four others as one of a commission; and soon afterwards he was superseded by the Catholic Duke of Gordon as Captain of Edinburgh Castle.[2]

These measures were doubly significant in view of the state of affairs on the Continent and in England. Not since the crisis of the Armada had British Protestantism been exposed to so grave a peril. In

[1] Fountainhall's *Historical Notices*, ii. 694, 700, 705, 710-712; *Historical Observes*, p. 241; Wodrow, iv. 397. See the spirited account of the riot in Macaulay's sixth chapter.

[2] Fountainhall's *Historical Notices*, ii. 676, 695, 712, 713.

1685, master of Franche-Comté, which he had wrested from a European coalition, and having rounded off his frontier by the unscrupulous *réunions*, Louis XIV. was at the zenith of his power; and in 1685, eight months after the accession of James VII., Louis completed his merciless persecution of the Huguenots by revoking the Edict of Nantes. In spite of strenuous efforts to prevent emigration, thousands of fugitives began to stream across the Channel, victims of a Catholic sovereign, whose promise to respect the privileges of his Protestant subjects had been as emphatic as that of James; and a profound impression was created in England when it became known that the Bishop of Valence in a complimentary harangue had declared that Louis's power had been given him for the extermination of heresy in that kingdom, as well as in France. Nor could it fail to be remembered that on October 21, the day before that on which the revocation was issued, Halifax, the great opponent of the French alliance, had been dismissed from the Privy Council. In its first session, which opened on May 22, the English Parliament, having received the same assurances from the King as the Scottish, had made an equally loyal response; but when the Houses reassembled on November 9, it was remarked as of sinister omen at so critical a time that James did not repeat his promise to uphold the Established Church. On the contrary, after alluding to the late rebellion as showing that the militia must be supplemented by a large regular force, he declared that he did not mean to part with the many Catholics who had obtained commissions in the army without taking the Test. In their reply to the speech from the throne, the Commons offered to indemnify the Catholic officers; but at the

same time they entreated the King not to give his subjects any reason to believe that he meant to dispense with statutes without Act of Parliament. James's annoyance at this rebuff was much increased when he found that the Lords intended to approach the judges with a view to obtaining a decision against the legality of the dispensing power—a decision which the judges would not have hesitated to give; and Parliament was abruptly prorogued on November 20.

The prorogation was continued from February to May, 1686, and from May to November; for the King had resolved that Parliament should not meet till he had obtained a judicial decision, the opposite of that which the Lords had expected and desired. In this spring, as avowed opponents of the dispensing power, the Solicitor-General and four of the judges were turned out of office; and the Lord Chief Justice having satisfied himself that the bench was sufficiently purged, a collusive action was brought, in which a coachman as informer sought to recover the fine of 500*l.* incurred by his master in acting as a colonel of infantry without taking the Test. The defendant, Sir Edward Hales, pleaded a dispensation from the King; and the court, in accepting this plea, laid down the general principle that the King's prerogative entitled him to dispense at discretion with the penal laws. James took advantage of this decision to admit four Catholics to the Privy Council, and even to empower clergymen, who embraced catholicism, to retain their cures; and though the decision in itself may not have been wrong,[1] he showed

[1] Hallam's remarks on this point are well known. Sir William Anson refers to James's employment of the dispensing power as "the misuse of an undoubtedly legal prerogative."—*Law and Custom of the Constitution*, pt. ii. 31. In Scotland, as we have seen, the dispensing power was expressly granted to the Crown by the Act of Supremacy, 1669.

that he was as ready to violate as to abuse the law. Henry Compton, Bishop of London, had distinguished himself by the warmth of his welcome to the French refugees. In the late session of Parliament he had made a remarkable speech, in which he compared the Catholic disabilities to the dykes which in a low-lying country such as Holland keep out the sea; and the King had immediately dismissed him both from the Privy Council and from the Deanery of the Chapel Royal. In the month of May this prelate was required summarily to suspend a clergyman, who, in answer to a member of his congregation, had maintained from the pulpit the Catholicity of the Church of England as opposed to that of the Church of Rome. Compton refused, at all events till he had examined the case; and James then resolved to re-establish the Ecclesiastical Commission which had been abolished by the Long Parliament in 1641, and the abolition of which had been confirmed by the Parliament of the Restoration.[1] The first act of the Commission, on which two prelates consented to serve, was to suspend Bishop Compton.[2]

King James had thus vindicated his prerogative, and exerted it illegally to strike a blow at the Church; but his daughters, the Princesses Mary and Anne, were Protestants, and he wished to secure the future of Catholicism beyond the duration of his own life. For this purpose he had already turned to Scotland; and it is easy to understand the excitement that prevailed in both kingdoms when it was noised abroad that the Estates were to meet in April, and that the King was to demand from them the repeal of the anti-Catholic laws. The Government

[1] The new court, however, had power only over the clergy.

[2] Ranke's *History of England*, iv. 268-302; Macaulay, chap. vi.

spared no effort to ensure beforehand the success of this design. Clergymen who reflected on popery in their sermons were complained of to the bishops; and the booksellers of Edinburgh were forbidden to print or sell anything without license. Archbishop Ross, who had succeeded Burnet in the Primacy, and Bishop Paterson of Edinburgh were prevailed upon to offer their services to the King; and Paterson, in return for his compliance, was restored to the Council, from which he had been dismissed by Charles II., was nominated Chancellor of Edinburgh University, and received a pension of 150*l.* sterling, besides being relieved of an annual charge amounting to 50*l.* more.[1] James, however, was less successful with three laymen whom he summoned to confer with him at Court—the Duke of Hamilton, Sir George Lockhart, and General Drummond, the Muscovite veteran, who had succeeded Dalyell in command of the Scottish troops. The second of these was the brother-in-law of Thomas Wharton, the most zealous, the most popular, dissolute, and irresistible of English Whigs;[2] and a short residence in London sufficed to stiffen the Protestantism of all three. They stipulated that whatever relief was granted to the Roman Catholics should be extended to the Presbyterians, whose meetings for worship in the fields

[1] Fountainhall's *Notices*, ii. 715-716. Bishop Paterson had a very bad reputation. According to Fountainhall, he had been dismissed from the Council in 1684 for having obtained a pension from the King on false pretences and for keeping churches vacant that he might appropriate their stipends.—*Historical Observes*, p. 133. Ross and Paterson consented that Catholics as such should be relieved of all penalties, civil and criminal, and should be allowed to worship in private houses. See their declaration to the King and Paterson's subsequent excuses to Archbishop Sancroft in Clarke's *Letters of Scottish Prelates*, pp. 91-98.

[2] As the author of the anti-papal ballad, "Lillibullero," which appeared in 1688, Wharton congratulated himself on having sung a King out of three kingdoms.

were now punishable with death, and also that the King should bind himself not to attempt anything against the Protestant religion; and though James, after a long dispute, showed some inclination to comply with the first of these conditions, he declared positively that he would make no promises with regard to a religion which he believed to be false.[1] The Government were well aware that the Protestant sentiment of the country was strongest of all in the burghs; but they flattered themselves that they had made sure of the Provosts of Edinburgh and Linlithgow, the latter of whom was also the member for his town; and the royal burghs were officially informed that the King would exert his prerogative to procure for them—what they had enjoyed under Cromwell—a free trade with England.[2]

Parliament re-assembled on April 29, the Lord High Commissioner being the Earl of Moray, Lord Melfort's colleague as Secretary of State.[3] The King in his letter intimated that he had convened the Estates with a view to making them some return for the dutiful devotion they had shown in the former session. He said that he was endeavouring "with all imaginable application" to obtain for them the benefit of the English trade, that he had sent down an indemnity for all political offences, and that, as he had thus shown mercy to rebels, he felt confident that the Estates would emancipate his Roman Catholic subjects, who in the worst of rebellions and usurpations had been conspicuously loyal. The promissory part of this letter was much expanded in the Com-

[1] *Macaulay*, original edition, ii. 118-120. [2] Fountainhall's *Notices*, ii. 715.

[3] Burnet appears to be mistaken in saying that Moray had become a Catholic.

missioner's speech. The King, said Moray, had instructed his ambassador in France to negotiate for the removal of the duty on Scottish imports; he was prepared to sanction any measures that might be adopted to vindicate the privileges of the royal burghs against the burghs of regality and barony, to facilitate the trade with Holland, to check the importation of Irish cattle, horses, and victual; and he was willing, if Parliament desired it, to establish an open mint; despite the expenses of the late rebellion, he would ask no further supply, and though he could not remit any part of the taxation imposed in the previous year, he was anxious that it should be more equitably assessed, and that full payment should be made for their quarters by his officers and soldiers.[1] The Lords of the Articles agreed upon an answer to the King's letter, in which gratitude for the promised favours was qualified by reluctance to pay the stipulated price. "As to that part of your Majesty's letter relating to your subjects of the Roman Catholic religion, we shall, in obedience to your Majesty's commands and with tenderness to their persons, take the same into our serious and dutiful consideration, and go as great lengths therein as our conscience will allow, not doubting that your Majesty will be careful to secure the protestant religion established by law." When the answer was read in the House, even these words were not in-

[1] James VII., like his father (see p. 109) was an adept in what Adam Smith calls "the higgling of the market." All these things were to be done, not because they were good in themselves, but because the King wanted something in return; and that something being refused, nothing more was heard of the intended reforms. Even the indemnity was withdrawn. The Stewart kingship, when stripped of romantic illusions, was a very prosaic affair.

serted without a division. Some objected to the term Catholic as applied to Papists; and others declared that, whatever length the majority might be prepared to go towards compliance with the King's demand, "they had fully examined the case and found they could go no length at all." [1]

The answer of the Scottish Parliament gave so little satisfaction at Court that, contrary to usage, it was not printed in the Gazette; and during the next few weeks James encountered at Edinburgh an opposition, or rather a lack of compliance, against which intrigues, threats and deprivations were directed in vain. On May 17, the Lord Advocate was turned out,[2] one of the judges, who had opposed the Crown in Parliament, was removed from the bench, and two Privy Councillors were struck off the list, one of whom was deprived of a pension, as was also Bishop Bruce of Dunkeld. Soon afterwards another Privy Councillor was dismissed, besides being deprived of his commission as a lieutenant-colonel. On May 22 the King signed three warrants for the ejection of bishops, an order to the Commissioner that only one of these was to be used, and a letter to the Council requiring them to turn out the Bishop of Dunkeld,[3] whose Protestantism had survived his pension. The two prelates, who narrowly escaped deprivation, were doubtless Ramsay of Ross, the friend of Leighton, and Douglas of Dunblane. Ramsay had astonished and scandalised the Papists by preaching against them to their faces in the High Church; and Douglas had been

[1] Wodrow, iv. 359-362; Fountainhall's *Notices*, ii. 720-721.

[2] It is hardly worth while to correct Napier on such a point; but he is unjust to his own side when he says that what Sir George Mackenzie objected to was "universal toleration." Nothing of the kind had yet been proposed.

[3] Keith's *Catalogue of Scottish Bishops*, p. 99.

forbidden to preach, because he would not promise not to do the like. The opposition, however, could neither be intimidated nor spirited away. It was to no purpose that officials were turned out, that pensions were stopped, that waverers were dealt with to withdraw, that military members were ordered to their commands, that country gentlemen were put on local commissions, that the election of burgh members was challenged. The Court party decreased rather than gained in strength. They brought in Lord Newark[1] to help them, and Newark behaved in such a way that "they wished they had let him stay at home"; the member for Linlithgow —their only burgess of any note, except an Aberdeen baillie, whom they cursed for his indiscreet zeal— went over to the opposition; and Lord Doon, the Commissioner's son, did them almost as much harm in turning Papist as one of their proselytes in going back to the Protestant fold.[2] Sir Robert Sibbald, President of the Royal College of Physicians of Edinburgh, which mainly through his exertions had been founded in 1681, geographer, naturalist, and a voluminous writer on antiquarian topics, was one of the most learned Scotsmen of his day. Philosophically moral, he had long been troubled with religious doubts; and in the autumn of 1685 he was persuaded to make trial of the intellectual soporifics which are administered to her adherents by the Church of Rome. After the "no-popery" riot, during which his house had been broken into by the mob, he went to London; but in the early days of this session of Parliament, or shortly before it met, he came back, declaring

[1] Eldest son of David Leslie, who had been created Lord Newark at the Restoration.

[2] Fountainhall's *Notices*, ii. 723-737.

that he could find no security amongst the Papists, and offering publicly to recant his errors.[1]

Thus no progress was made. In the committee of the Articles Hamilton and Lockhart succeeded in defeating every scheme of Catholic relief which the Chancellor was willing to accept; and the Chancellor was fain at last to content himself with a measure which provided that members "of the Romish communion" should have the right of private worship, but that in all other respects the anti-Catholic laws should remain in force. At the end of May or the beginning of June this measure was brought into the House, only to be sent back; and Hamilton and his friends then inserted an express provision that the proposed Act should not derogate from the statutory obligation of officeholders to take the Test. As the Act in this form would have been highly offensive to the King, it was allowed to drop, but not till some members had become so weary of the Parliament that they were talking of a general onslaught on popery in order "to blow it up." At last on June 15 the Commissioner dismissed the Estates, telling them in his closing speech "that the King had called them for no errand of his own, but to give them occasion to make what good laws they pleased."[2]

London had been deeply interested in this contest between the Crown and the Scottish Estates. James suspected that the Anglican leaders were encouraging the Scots; and in order to verify his suspicions he had resorted—with what result does not appear—to somewhat unscrupulous means. On one occasion at Edinburgh all letters for England were broken up and

[1] Burnet, iii. 115; Fountainhall's *Historical Notices*, ii. 725.

[2] Fountainhall's *Historical Notices*, ii. 733-738. The proposed Act both in its original and in its amended form will be found in Wodrow, iv. 366.

read,[1] and at London during one critical week the Scottish post-bags were detained at Whitehall.[2] It must have irritated James as much as it delighted the majority of his subjects that British Protestantism at the weakest point in its political defences had repelled his assault; but he affected to treat this reverse as a mere expression of ill-informed public opinion, which, in the plenitude of his ecclesiastical supremacy, he was entitled to thrust aside. In a letter to the Privy Council, ignoring the difference between suspension and repeal, he stated that he had invited Parliament to abrogate the penal laws, not because he doubted his power to put a stop to the severities of these laws, but in order that the Estates might have the honour of accomplishing so just and charitable a work; and he went on to say that the Estates would undoubtedly have done what he desired, but that, owing to a mistaken idea of the restrictions imposed upon them by the Test, they had wished him to do it himself. He then instituted a toleration far wider than that which the Lords of the Articles had ventured to recommend; for, whilst he granted to Catholics "the free private exercise of their religion in private houses," he directed that they should not be prosecuted for any violation of the laws, civil or criminal, against the profession or exercise of their religion. He also intimated the establishment at Holyrood of a Catholic chapel. This edict was promulgated in September, 1686, two months after the revival in England of the High Commission.[3]

[1] Fountainhall's *Historical Notices*, ii. 735. [2] Macaulay, ii. 124.

[3] Wodrow, iv. 389. The Council, in the first draft of their answer, referred to the royal prerogative as a legal warrant for the proposed toleration; but Hamilton objected to the word *legal*, and it was altered to *sufficient*.

James blamed certain perverse persons, whom he called his enemies, for having misled Parliament with regard to the Test; and these, to use his own expression, he proceeded to chastise. On June 21 the Duke of Queensberry was stripped of all his offices and honours, a strict examination being ordered into the state of his accounts; and on the same day Alexander Miln, the refractory Provost of Linlithgow, was dismissed from his post as an assistant receiver of customs. On September 14, when the edict of toleration was read, no fewer than five Privy Councillors were removed; and before the end of the year Papists had been appointed to almost all the vacant seats. The last victim, for the time being, was Alexander Cairncross, Archbishop of Glasgow, who, in January, 1687, was deprived of his see. Cairncross sided with Queensberry, to whom he owed his promotion, and whose sister he had married;[1] and it was believed that, but for the refusal of Archbishop Ross to concur in such a measure, he would have protested against Lord Perth, when that nobleman presided for the first time in Council as a professed Roman Catholic. He had but feebly opposed the repeal of the penal laws; but he had highly offended both the King and the Chancellor by refusing to take notice of a sermon against popery until it had been published in London—particularly as the preacher stated in his defence that the Archbishop had encouraged him to go to London for this purpose, and had provided him with money.[2]

[1] Was to have married, at all events—Fountainhall's *Observes*, p. 137; and presumably the marriage took place. Cairncross was succeeded in the see of Glasgow by Bishop Paterson of Edinburgh.

[2] Fountainhall's *Historical Notices*, ii. 692, 740, 750, 775. The fullest account of the dispute, which led to the deprivation of Cairncross, is given by Skinner in his *Ecclesiastical History of Scotland*, ii. 502-503.

Shortly before the disgrace of Cairncross, James had parted with his brothers-in-law, the Earls of Clarendon and Rochester, having previously intimated to the latter, who was Lord High Treasurer, that he must either become a Catholic or forfeit his place. The two Hydes, sons of Charles II.'s prime minister, were the leaders of Anglican Toryism; and their dismissal, the sequel to that of Queensberry in Scotland, foreshadowed a change of policy on the part of the Crown. It was now recognised at Court that Canterbury could neither be seduced nor intimidated into a partnership with Rome, and that, if Anglican exclusiveness was to be broken down, the Catholics must ally themselves with Protestant dissent. Such a coalition, unnatural as it must appear, was repulsive rather than impracticable to James. He was well disposed, indeed, towards the Quakers, some 1200 of whom he had lately released from prison, partly because they held aloof from politics and professed the tenet of non-resistance, partly owing to his intimacy with William Penn; but he had done enough to make it clear that he regarded the Puritans, as a body, with much more than the hereditary hatred of his house. In the five years preceding his accession, during which his influence had been paramount in Scotland, not only had persecution been carried on with unexampled fury, but

The clergyman, whose discourse gave so much offence, was James Canaries, minister of Selkirk, and a converted Papist. In 1685, on the anniversary of the Restoration, Canaries had preached a frantically loyal sermon, in which he said that the subjects of Charles II., during the twenty-five years of his reign, "had wallowed in such unmixt, uninterrupted felicities, as had almost made them forget they were earthly." A volume in the Library of the University of Edinburgh, entitled *Scottish Pamphlets Collected by John Mason*, contains this and many other curious tracts. Cairncross was the only one of the Scottish bishops who conformed to the civil government at the Revolution. In 1693 he was appointed to the see of Raphoe in Ireland.—Grub, iii. 313.

the Indulgence granted by Lauderdale had been withdrawn; and in a single month of his reign, after the suppression of Monmouth's revolt, four times as many nonconformists had been put to death in England as had perished in Scotland during what the Cameronians called "the killing time." Nevertheless, at the end of January, 1687, the French ambassador was able to inform his Government that King James had almost reconciled himself to the idea of a general Indulgence; and on February 10 a proclamation was sent down to Edinburgh, which showed that necessity was still struggling with intolerance in the royal mind. In this proclamation James suspended all laws, prohibitory and penal, against Catholics, and declared that the latter should be as free as any of his Protestant subjects whatsoever to exercise their religion, and to enjoy such offices and benefices as he should be pleased to bestow. The only restrictions imposed upon them were that they should not worship in the fields,[1] that they should not make public processions in the high streets of royal burghs, and the very strange one, that they should not invade Protestant churches by force. On the other hand, whilst Quakers were allowed to worship in any appointed place, Presbyterians were to meet only in private houses for the purpose of hearing such ministers, and such alone, as should accept the Indulgence; they were not to build chapels or even to make use of barns, and field conventicles were to be punished with the utmost rigour of the law. The Test, indeed, was annulled; but the substitution of an oath of non-resistance was much less acceptable to Presbyterians than to Papists and Quakers. Three Privy Councillors, the Duke of Hamilton and his

[1] Catholic field meetings were not unknown in the Highlands and Hebrides.—Bellesheim's *Catholic Church in Scotland*, iv. 118.

sons-in-law the Earls of Panmure and Dundonald, refused to sign the letter in acknowledgment of this edict; and the King, in directing that the two Earls should be dismissed, took care still further to limit his favour to the Presbyterians by providing that none of them should be allowed to preach who had not taken the oath of non-resistance and been licensed by the Council. Soon afterwards, however, he authorised the Council not to insist on this oath; and on July 5, three months after the issue of the English Declaration of Indulgence, complete religious freedom, short of field conventicles, was established in Scotland, the only restrictions being that no disloyal speeches should be uttered, that meetings for worship should be open to all, and that the names of preachers and the places where they officiated should be notified to the civil power.[1]

With the exception of Renwick and his followers, all the Scottish Presbyterians accepted, or, as Wodrow expresses it, "fell into" this Indulgence; for their spirit was now much broken, and the toleration being unconditional, they were not disposed to question its motive and design. The ministers, in an address of thanks, promised to give such proofs of their gratitude and loyalty that the King should have cause rather to enlarge than to diminish his goodness; and the citizens of Edinburgh declared that they could not "find suitable expressions to evidence" their sense of "so surprising and signal a favour."[2] In England the King's appeal to his old enemies met with a less favourable response. The bulk of the dissenters declined to recognise the dispensing or rather the suspending power on which the Declaration was based; a meeting of Presbyterian ministers, called at the

[1] Wodrow, iv. 417-427. [2] *Ibid.*, iv. 428.

instance of the Court, decided against it; and this decision was acquiesced in, not only by Baxter and Stretton, and by Howe, at whose house the meeting was held, but also by such leading Baptists as Bunyan and Kiffin. A considerable minority, indeed, warmly welcomed the Declaration, some of whom even wrote in its defence; but, as such men were compelled to slacken, if not to suspend, their assaults on popery at a time when the Anglican clergy were attacking it with unusual vigour, their influence rapidly declined. In the course of six months some sixty addresses of thanks were received; and these, though seldom spontaneous and never largely signed, made a great impression on the King.[1]

In the English Declaration of Indulgence James expressed his confidence that the two Houses would concur in that measure whenever he should permit them to meet; and in his reply to the address of the Scottish Presbyterian ministers he declared that he meant to protect them in their liberty, religion, and property all his life, and to take such means to that end as none thereafter should be able to overthrow.[2] In other words, he hoped with the aid of the dissenters in both kingdoms to procure the repeal both of the penal laws and of the Test. The first demand was not likely to be refused; but he was daily making it more and more impossible for any Protestant Parliament to concede the second. The Catholics, as a body, were alarmed and disgusted at the King's reckless haste in pushing them to the front, and on their side was Pope Innocent XI., who was continually remonstrating with James and with

[1] Macaulay, chapter vii.; Neal's *History of the Puritans*, vol. v.

[2] *Hind Let Loose*, p. 190.

the group of Jesuits who urged him on. In 1677 a papal emissary had reported to Rome that there were only about 2,000 Catholic communicants in all the Lowlands of Scotland from the Moray Firth to the Solway;[1] and a few years after the Revolution, when the population of England stood at about 5½ millions, it was computed that the total number of Papists in the Province of Canterbury comprising five-sixths of the kingdom was 23,740.[2] Nevertheless, the Catholic faith had been so propagated and favoured that it included amongst its votaries the Lord Chancellor of Scotland, the first commissioner of the Treasury in both kingdoms, the English Lord President of the Council, Lord Privy Seal, Lord Chamberlain, Groom of the Stole, and Principal Secretary of State, the Lord Lieutenant of Ireland, the Scottish General of the Mint and one of the two Scottish Secretaries, the Governor of Edinburgh Castle, and the Lieutenant of the Tower of London. Even this abuse of patronage, however, was hardly so fatal to King James as his assaults on the two great Universities which had so zealously promoted the alliance of Church and Crown. In the previous year he had authorised a Romanist convert to retain the Mastership of University College, Oxford, and had appointed an avowed Roman Catholic to the Deanery of Christchurch. In April, after the issue of the Declaration of Indulgence, the Vice-Chancellor of Cambridge was deprived for refusing to dispense with the statutory oaths in order to confer a degree on a Benedictine monk; and in the following autumn the Fellows of Magdalene College were not only expelled by the

[1] Bellesheim's *Catholic Church in Scotland*, iv. 128.

[2] Dalrymple's *Memoirs of Great Britain*, appendix to pt. ii. bk. i.

High Commission, but declared incapable of holding any ecclesiastical preferment, because they had refused to elect a President, first a Catholic, then a pseudo-Protestant, at the bidding of the King.

This last outrage was perpetrated in the midst of preparations for the repeal of the Test. Parliament, after its existence had been prolonged by successive prorogations for more than a year and a half, had been dissolved on July 2; and extraordinary efforts were now being made to procure a House of Commons favourable to the King's views. The Lords Lieutenants were required in the first place to go down to their respective counties, and to try the temper of their deputies as well as of the Justices of the Peace. Sixteen of them refused, and were at once dismissed. Great difficulty was experienced in getting any but Catholic peers to accept the vacant posts; and this preliminary rebuff might have shown James what the answer of the squirearchy would be. In several counties not a single country gentleman could be induced to declare in favour of the Court; in Norfolk only six did so out of seventy; and in Hampshire, as a protest against the intrusion of a Catholic Lord-Lieutenant, all but five or six of the Justices threw up their commissions. Of the sheriffs appointed for the year 1688, whose duty it would be to preside at the forthcoming elections, one-third proved to be Catholics; but some of these refused to accept office, and many who consented declared that the Court was deceiving itself, if it expected them to make other than impartial returns. Meanwhile, the urban constituencies were being rigorously purged. In the last year but one of the previous reign the charters of almost all the English boroughs had been remodelled in the interest of the Crown; and under the direction of

a Board of Regulators the same royal power, which had then been exerted to thrust Tories and High Churchmen into municipal office, was now exerted to thrust them out. James, however, discovered that it was much easier to dismiss Protestant mutineers than to obtain Protestant recruits. His recent proceedings, particularly his treatment of Magdalene College, had made it plain that all who co-operated with him in return for his so-called "declaration for liberty of conscience" were really—what somebody called them in derision—"the Pope's journeymen to carry on his work." The Church party made great overtures to the dissenters, assuring them that, if only they withstood the blandishments of the Court, they should soon have an ample toleration secured to them by law; a short pamphlet, in which this argument was ably expressed by Lord Halifax, had an enormous success; and William of Orange, shortly before the dissolution of Parliament, had greatly strengthened the Protestant interest by declaring against the abolition of the Test. Thus in the boroughs, as in the counties, the King's advances were steadily repelled. Nonconformist mayors and aldermen proved as refractory as their Tory predecessors; and after some 200 "regulations" had been made, the Court found that its exertions had merely been thrown away—exertions so great that in some cases, as in that of Yarmouth, the magistrates had been changed, re-changed, and changed again.[1]

The municipalities of Scotland had been remodelled before those of England were attacked. The Scottish Parliament, after two short prorogations, had been dissolved in October, 1686. Shortly before, a proclamation had been issued, discharging the autumn

[1] Macaulay, chapter viii.; Ranke, bk. vii. chapter vi.

elections in royal burghs, and empowering magistrates and councillors to continue in office during the pleasure of the Crown; and within a year the existing officials in all important towns had been replaced by royal nominees. When, therefore, in July, 1687, in reply to their address of thanks, James assured the Scottish Presbyterian ministers that he should establish their religious liberty on a permanent basis, he may have thought that he had made sure of a Parliament which would abolish the Test. Indications, however, were not wanting that, if a new Parliament had been called together, it would have proved as intractable as the last. In October a great many dissenting ministers met at Edinburgh in order to make rules for the exercise of their recovered freedom; and one minister, Hardy, declared in a sermon that the Indulgence was an evil if it was intended to make way for popery, and that whoever promoted such a design would be visited with a curse. The Privy Council, having summoned Hardy in accordance with directions from Court, dismissed him with a reprimand; but James insisted that he should be prosecuted for treason; and it was hailed as a victory for Protestantism when the judges decided that the expressions complained of were not relevant to sustain the charge. This decision opened the mouths of many other ministers, who repented of their haste in returning thanks for the Indulgence; and both in private and from the pulpit they "declared they thought themselves nothing obliged by any toleration allowed them, it being granted only to ruin Protestants and introduce the Roman Catholics."[1]

The Scottish Indulgence had thus succeeded no better than the English; and here the antecedents of the

[1] Balcarres's *Memoirs*, p. 5; Fountainhall's *Historical Notices*, ii. 752, 819-822.

Revolution, in so far as Scotland was a party to them as well as England, may be said to end. In the last phase of the struggle, when passive gave place to active resistance, Scotsmen were merely spectators; and English history need not be encroached upon for the purpose of recapitulating so familiar a tale. It may, however, be noticed in passing that, when a son was born to King James to perpetuate his intolerable misrule, the exasperation appears to have been as great in Scotland as in England. Many of the Episcopal clergy refused to pray for the Prince; and the meeting-houses hardly resounded with louder denunciations of popery than were to be heard in the parish church.[1]

Happy as both kingdoms were in what Wodrow calls "the glorious and never-to-be-forgotten revolution," Scotland was pre-eminently happy. It has been argued with much force that the Revolution of 1688-89 was one of those unexpected events which in the language of every-day life are called accidents, inasmuch as it was due, not to the triumph of liberal over despotic ideas, but to the sudden collapse of the latter when at the height of their power, in consequence of a quarrel between the two great agents of despotism, the Church and the Crown. A tendency inimical to freedom was thus abruptly counteracted, just as tendencies of wider import would have been counteracted if Hannibal had destroyed

[1] Balcarres's *Memoirs*, p. 5. Balcarres admits that the Presbyterians eventually took the lead in denouncing popery, whilst the Episcopalians, supported in this instance by Renwick, take all the credit to themselves. On the whole, it would seem that the Presbyterians kept very quiet till the autumn of 1687, when, in consequence of the Indulgence, they were joined by many violent refugees from Holland and Ireland. An Episcopal writer observes that Hardy's brethren condemned his "indiscreet zeal," that Episcopal advocates pleaded for him and Episcopal judges acquitted him. — *Some Questions Resolved concerning Episcopal and Presbyterian Government in Scotland*, 1690, p. 24.

Rome after the battle of Cannae, if Mohammed had been killed in his first skirmish, or if Charles Martel had been defeated at the battle of Poitiers.[1] This aspect of the Revolution is even more conspicuous from the Scottish than from the English side; for not only did the resistance encountered by James in Scotland proceed mainly from the Royalist or Episcopal party, but the Whig interest in that kingdom had declined much more than it had declined in England. The Scottish Presbyterians refused to support the anti-Protestant policy which the Indulgence was intended to promote; but it was a most significant fact that during the parliamentary struggle of 1686 they should never as a party have made themselves heard; that they should not have protested, when the King in September of that year suspended the penal laws; and that they should have hailed it as a "gracious and surprising favour," when a full toleration, which Catholics had enjoyed for nearly a year, was extended to themselves. In vain did Renwick remind them how Knox had declared that one Mass was more fearful to him than 10,000 armed Papists, how Melville and Davidson had denounced James VI. for not exterminating Catholic rebels, and how the Covenanted Assemblies had denied toleration even to the Protestant sects.[2] The authority of such precedents was now recognised in practice by the Cameronians alone; and it must be

[1] Lecky's *History of England*, cabinet edition, i. 16-19. "The obscure blunder of some forgotten captain, who perhaps moved his troops to the right when he should have moved them to the left, may have turned the scale, and determined the future of Europe."—*Ibid.* p. 19. In the opinion of the late Professor Freeman, however, Charles Martel's victory was no more than the repulse of "a plundering foray."

[2] See "His Testimony written before his Imprisonment" in the *Scots Worthies*, M'Gavin's edition, ii. 535. Renwick, the last victim of the Covenant, was executed on February 17, 1688.

ascribed to the peculiar character of the Revolution as the result of a quarrel between Church and Crown, and in particular, to the reluctance of the Episcopal clergy to desert a sovereign whom nothing but the interests of religion could have led them to oppose, that Scottish Presbytery was voluntarily established by the civil power, at a period when it retained little of its once irresistible force, but when, on that very account, it could look forward to a more assured future than that of spasmodic triumph, exhaustion, and recoil.

In preceding chapters some attempt has been made to trace and account for the spiritual transformation which Scottish Presbytery had thus undergone. We have seen how the Church of the Covenant waxed stronger and stronger under the protection of the State till it defied the authority of Parliament in 1648; how with the assistance of Cromwell it completely subjugated the civil power; how in the frenzy of fanaticism a great Scottish army was thrown away at Dunbar; how this defeat inspired a national policy enunciated in certain Resolutions which the fanatics known as Remonstrants or Protesters violently assailed; and how the latter finally discredited themselves by opposing the patriotic movement, which at Worcester in 1651 came to a disastrous but not inglorious end. After the Restoration, weakened both by external repression and by internal decay, the strength of fanaticism steadily declined. The bulk of the Resolution clergy conformed to prelacy in 1662; the few who resigned their livings kept aloof from field-meetings, and were nearly all restored under the Indulgences of 1669 and 1672. The Protesters, for the most part, disapproved of the Indulgence; but a small section, afterwards known as Cameronians, main-

tained the extreme opinion that it was unlawful to associate with any whose view of the Indulgence did not coincide with their own; and this question, as agitated during the Bothwell campaign, completely broke up the fanatical party, just as a similar question, that of the lawfulness of associating with Malignants or Royalists, had caused the fanatics as a body to secede from the Church. Thus the triumphant Whiggamores of 1649, themselves but a party, had been thinned by continual secessions till only the Cameronians were left.

We have an excellent illustration of this process in the career of the man whose son was to be King William's chief adviser in the settlement of the Church. John Carstares, minister of Cathcart and in 1650 of Glasgow Cathedral, was held in high repute for his pulpit eloquence, and especially for his fervour and tearful effusiveness in prayer. Born in 1623, he was captured by the English on the field of Dunbar, after he had been wounded, stripped naked, and left for dead.[1] On obtaining his release through an exchange of prisoners, he became a zealous Remonstrant; and he officiated on the most notorious of several occasions on which a Remonstrant minister was thrust upon an indignant and resisting parish.[2] Carstares, however, was remarkable for "his courteous carriage," and for a refinement of manner which was thought to find expression even in the scrupulous neatness of his dress;[3] and the coarse intolerance of Guthrie and Warriston seems to have caused some uneasiness to their sensitive colleague. At the conference between the Resolutioners and the Protesters in November, 1655, he was strongly in favour of union, though

[1] Wodrow's *Analecta*, iii. 53. [2] See note on p. 172. [3] *Analecta*, iii. 49.

Guthrie eventually prevailed upon him to stand firm;[1] and at this or some similar meeting, when some of the party expressed themselves as ready to agree, provided their opponents would make a confession of fault, Carstares said, "Let us agree with our brethren, though they should never confess a fault."[2] In the following year he declined to concur in the application to Cromwell—which Sharp defeated—for a joint purging commission. In 1662 he was one of the nine ministers for whom Leighton pleaded in vain that they should be allowed to take the oath of allegiance with an explanation that they acknowledged the King as supreme civil governor;[3] and he was then deprived of his charge. Forfeited for his share, belated and most reluctant as it was, in the Pentland Rising, he is believed to have sought refuge in Holland and to have returned in 1672. Fourteen years of life still remained to him; but he was now too weary of a hair-splitting contentiousness to take any part in its ruinous debates. In 1677 he complained of a field-preacher who had said that it was as sinful to go to hear a conformist minister as to go to a brothel;[4] and about the same time he addressed a letter of expostulation to M'Ward, his intimate friend, which that mischievous fanatic would have done well to lay to heart. In this letter he laments the "great and growing . . . confusions, distempers, and distractions" by which his brethren were making themselves contemptible, as if they "had a genuine and native tendency to them," and which threatened to prove the heaviest blow which Presbytery had yet received in Britain. "Is there no forbearance in these things

[1] Baillie, iii. 297.

[2] *Analecta*, iii. 48.

[3] See p. 229.

[4] Brodie's *Diary*, p. 384.

to be expected which we justly disallow? . . . . Is there, I say, no place to consider whether it were better to supersede our contendings than to have our Church ruined? I scarcely see a middle way for anything."[1] In 1680, when examined by the Privy Council with reference to his attitude towards the Cameronians, Carstares "said he could not express his abominating their extremities with vehemency enough."[2]

In the hard-won moderation of his later days Carstares was strongly of opinion that clergymen ought to confine themselves to pastoral, or at all events to evangelical work; and it was a source of much vexation to him that he could not impress this view on his eldest son. In 1669, his twenty-first year, William Carstares had left Scotland in order to study theology at Utrecht; and having at that early age attracted the notice of the Prince of Orange, he had embarked on a career of political intrigue, which in 1674 had subjected him to a captivity of five years, and in 1684, as we have seen, to torture of the severest kind. At the end of his first term of imprisonment his father charged him never again to meddle with politics; at the conclusion of the second he refused for some days to see him; and from his deathbed in 1686 he sent him a solemn message reiterating his former charge. It was a question of no small moment which thus divided the father and the son. From his pulpit in Glasgow the elder Carstares had been wont to denounce the Government of his country whenever it deviated, as he believed, from what Knox called "the square rule of God's Word"; and

[1] M'Crie's *Veitch and Bryson*, pp. 499-500.

[2] Wodrow, iii. 241. The best account of the elder Carstares is that given by Principal Story in his Life of the younger. The letters printed by Ferrie are of a private nature, and the biographical sketch prefixed is of little value.

however much he may now have doubted the utility of these pulpit harangues, he was not disposed to admit that there could be anything but a hard and fast line between the Church and the State. Whether the spiritual or the temporal power was to be supreme, there could, in his opinion, be no fusion of the two. William Carstares, on the other hand, embodying that union of religious and political interests in Scotland which had been consummated in the "crowning mercy" of Worcester, realised fully that, if the Church was to obtain just recognition, she must be content to give as well as to take, to co-operate rather than to command, in the intricate drama of national life. He was not the first Presbyterian who had made this discovery; but he was the first who did not cease to be a Presbyterian when he became a statesman. As the King's chaplain, he was to wield an ecclesiastical influence greater than any which had been exercised by Archbishop Spottiswoode, or by Archbishop Sharp; and profound indeed must have been the change which Scottish Presbytery had undergone when the man who had succeeded to the place of Knox, of Melville, and of Henderson could advise the King, as Carstares advised William in 1689, not to part lightly with any branch of the royal prerogative, and so to conduct himself towards both Presbyterians and Episcopalians, that neither party should have reason to believe that he would support it unduly at the expense of the other.[1] Truly, in the words of a prelatical pamphleteer, Presbytery "had fallen in love with moderation."

[1] M'Cormick's Life of Carstares prefixed to *State Papers*, p. 40. "He did not look at Prelacy or Presbytery through the mists of mediæval superstition, but in the light of modern statesmanship and reason, believing that order to be most divine which did most to promote peace on earth and goodwill among men."—Story's *Carstares*, p. 199.

CHAPTER XXIV.

THE REVOLUTION SETTLEMENT, 1688-1695.

In October, 1688, in order to assist in repelling the Dutch invasion, the small Scottish army was withdrawn to London; and the progress of the expedition, which landed at Torbay on November 5, when Carstares conducted a thanksgiving service on the beach, was accompanied by a growing agitation in Scotland, which became serious after the King's retreat from Salisbury, and which, in the absence of the regular troops, it was difficult, if not impossible, to restrain. The manifesto of the Prince of Orange issued from the Hague, in which he announced that he was coming to preserve the Protestant religion, and to vindicate the laws and liberties of Scotland, was proclaimed at Glasgow and several other towns; and the Glasgow students publicly burned the effigies of the two archbishops and of William's ally, the Pope.[1] At Edinburgh more serious disturbances took place. On the night of December 10, the night on

[1] "It was a strange complication! At the Court of Rome were combined the threads of that alliance which had for its aim and result the liberation of Protestantism from the last great danger by which it was threatened in western Europe, and the acquisition of the English throne to that confession for ever."—Ranke's *History of the Popes*, Bohn's Edition, ii. 424.

which James made his first escape from Whitehall, the mob rose, and in attempting to break into Holyrood Palace was so severely punished that a dozen of the rioters were killed and about forty wounded. The magistrates and some Privy Councillors were then induced to countenance the tumult; but the officer in command of the guard refused to surrender his post, and the gallant little garrison having been surrounded and overpowered, the King's private chapel, the Abbey Church, which the Catholics had lately appropriated, and the dwellings and schools of the Jesuits were thoroughly "purged." The Earl of Perth, having left Edinburgh a few hours before this outbreak, was captured after he had embarked for France; and on December 24 the Privy Council threw in its lot with the Revolution by calling out the heritors "for security of the Protestant religion."[1]

Some of the Cameronians distinguished themselves in the attack on Holyrood;[2] and the unpopularity of the Church throughout the south-west enabled these fanatics to make a clearance of ministers similar to that which had been effected at the expense of Presbytery in 1662. In the beginning of December some of the Ayrshire clergy were "rabbled"; and on Christmas day systematic evictions began to be carried out. The minister was usually conducted to the church-yard, and there, in view of the people, was charged to remove; his gown was torn over his head; his Prayer-Book, if he had one, was burned; and the rioters concluded the ceremony by locking the door of the church and taking away the key. In the course of three months such scenes had been enacted all over the south-west, from the Solway to the

[1] Wodrow, iv. 473-475; Balcarres, pp. 15-18.

[2] *Faithful Contendings Displayed*, p. 367.

Clyde, a few parishes excepted, in which the gentry exerted themselves to protect their pastors. The Presbyteries of Linlithgow and Biggar had long been the most fanatical in the Synod of Lothian: in the former of these seven ministers were driven out, and in the latter four.[1]

On November 3, two days before the landing of the Prince of Orange, the Scottish bishops had drawn up an address to the King, in which, after adoring the divine Providence which had hitherto preserved and prospered that "darling of heaven," they prayed that the crown might still flourish on his head, and that his enemies might "be disappointed and clothed with shame"; and a month later, after the King's retreat from Salisbury, they deputed two of their number, Bruce of Orkney and Rose of Edinburgh,[2] to go up to Court in order to renew these loyal professions, and, in the event of any danger to the Church, to take counsel with the English prelates. Owing to the illness of his colleague, Rose had to make the journey alone; and at Northallerton he learned to his dismay that "the darling of heaven" had betaken himself to France. If the bishop's churchmanship had been equal to his loyalty, this event need not have been fatal to the success of his mission. The Prince of Orange was now prepared to deal with the Scottish Episcopalians as they should deal with him. His conception of ecclesiastical affairs in Scotland had been formed mainly from the reports of nonconformist

[1] Scot's *Fasti*, vol. i. See *The Case of the Present Afflicted Clergy in Scotland*, and *An Account of the Present Persecution of the Church in Scotland in several Letters*, two pamphlets published in 1690. In the first of these, p. 6, the total number of ministers ejected is said to have been about 200. The number 300, given in other pamphlets, is doubtless an over-estimate.

[2] Bruce, the deposed Bishop of Dunkeld, had, in May, 1688, been appointed to the see of Orkney. Rose was Paterson's successor in the see of Edinburgh.

refugees; and the Hague manifesto had given great satisfaction to the Presbyterians, in so far at least as it condemned the religious persecution, and declared that the turning out of so many ministers at the Restoration, and the filling of their places with unworthy men, had been one great cause of the miseries which Scotsmen had so long endured. William, however, could not be long at Whitehall, thronged as it then was with Scottish nobles, without discovering that few of the aristocracy had any serious quarrel with the Established Church; he himself was anxious for a union, religious as well as political, between the two kingdoms; and the maintenance of the Scottish hierarchy was not more desired by rigid Anglicans than by advocates of comprehension, such as Gilbert Burnet, who, in return for the concessions which they wished Episcopacy to make in England, were anxious that it should not be abolished in Scotland. In January, 1689, at the request of the Scottish magnates, William agreed to summon a Convention of Estates on March 14, and meanwhile to administer the government. Bishop Rose exerted himself by every means short of a personal address to obtain the Prince's protection for the clergy who were daily being rabbled out of their cures; and a proclamation having been issued to this effect at the instance of one of the ejected ministers, who had come to London to plead their cause, he was preparing to go home, when he found that he would not be allowed to travel without a pass, and that to obtain a pass he must wait on William, who had just been proclaimed King. Compton, Bishop of London, undertook to introduce him at Court; and William authorised Compton to say that he now understood the state of Scotland better than he had understood it in Holland, and that, if the Scottish bishops would give him a promise

of support, he would throw over the Presbyterians, and ally himself with them. Rose replied that he had no authority to speak for his colleagues on such a point, but that he believed they would never acknowledge William as king, and that for himself, rather than do so, he would forfeit all the interest he had, or expected to have, in Britain. On the following day a few words decided the fate of Scottish Episcopacy. "I hope," said William, "you will be kind to me and follow the example of England." "Sir," answered Rose, "I will serve you so far as law, reason, or conscience shall allow."[1]

The Convention, which met at Edinburgh on March 14, was constituted, as the representative part of it had been elected, without reference either to forfeitures or to the Test, all Protestants being eligible for seats. The Jacobites had concurred in the invitation to William to assume the provisional government, partly as the only means of restoring order, partly through fear of being detained in London; and King James, on being informed that his friends were hesitating as to their attitude towards the Convention, sent them permission to attend. In spite, however, of this permission, which probably arrived too late, the Jacobites did not muster in full strength either at the elections or in the House. The Duke of Gordon held the Castle for the King; but the Whigs were supported by several companies of foot, and many armed Cameronians were known to be lurking in the town. On the first day of meeting the Duke of Hamilton was elected President by a majority of forty Whig votes; and this reverse so discouraged

[1] See Bishop Rose's own account of his mission in Keith's *Catalogue*, pp. 65-72.

the minority that twenty of them went over to the other side. On the 16th the King's cause was ruined beyond redemption by the reading of a letter from Brest, in which he denounced vengeance on all his subjects who should not return to their allegiance within fourteen days; and the Jacobites, realising the hopelessness of the situation, resolved to secede from the House, and to hold a rival convention at Stirling. On the 18th, just as they were preparing to execute this scheme, the Marquis of Athol obtained a delay of twenty-four hours; but Viscount Dundee, knowing that some of the fanatics had conspired to take his life, refused to wait; and Dundee's departure with some fifty horse being regarded as the prelude to a civil war, Hamilton, amid great excitement, ordered the doors to be locked, and the Cameronians, secreted in vaults and cellars, to be called to arms. These prompt measures cooled the courage of the Jacobites; and at the close of the sitting, having renounced all thought of secession, they were thankful to be allowed to go home.[1]

On April 3, with only four dissentients, the Convention resolved that James had forfeited the crown, and that the throne was vacant. On the 11th was passed the Claim of Right, that long enumeration of illegalities practised during the last and the preceding reign, in virtue of the confidence of the Estates that they would avoid which, William and Mary, in the conclusion of the Act, were declared King and Queen. In the midst of this Act occurs the reference to prelacy as "contrary to the inclinations of the generality of the people," and as "a great and insupportable grievance," which ought to be abolished. As the

[1] Balcarres, pp. 21-31.

episcopate then existing in Scotland was perfectly valid in point of law, this clause, instead of being inserted in the Claim of Right, ought to have formed one of the Articles of Grievances, which were passed two days later, and which comprised such objectionable rather than illegal practices as could be remedied only by fresh legislation. Some of these, indeed, such as the Assertory Act of 1669, were themselves statutes. In view of William's position, however, as head of the Church of England, it was thought fairer to him and much safer for Presbyterians that Episcopacy should be repudiated by the Estates in their tender of the Crown than that William should be asked to concur in its abolition after he had become King.[1]

When the Convention re-assembled on June 5, it was converted into a Parliament, the Duke of Hamilton being the Lord High Commissioner. This first session was rendered almost barren of legislation owing to a dispute as to the constitution of the Lords of the Articles, similar to that which had broken out between Charles I. and the Covenanters in 1639. William, conceding what Charles had refused, proposed that each Estate should elect its own members, and that, as in Middleton's Parliament, any measure rejected by the Lords of the Articles might be brought before

[1] "If the altering the church government be found an encroachment and declared void, it is much better than to expect it by an Act requiring the King's consent, which will relish ill here."—Sir James Dalrymple to Lord Melville, April 9; *Leven and Melville Papers*, pp. 9-10. See also Burnet, iv. 40. Lord Macaulay emphasises this point, the significance of which has commonly been overlooked. A day or two before the meeting of the Convention, Hamilton had made a fruitless appeal to the bishops, assuring them of William's resolution, in the event of their compliance, that nothing should be done to the prejudice of Episcopacy, and entreating them "most pathetically for their own sake to follow the example of the Church of England."—Rose's narrative in *Keith's Catalogue*, p. 72.

the House. The Estates, however, voted that "a constant committee" was contrary to their first Article of Grievance; and, in their desire to restore in its entirety the system of special and temporary committees which had prevailed under the Covenant, they insisted that no officer of state should be a member of such bodies in right of his office. The Commissioner was neither able nor very anxious to make headway against this proposal and others equally offensive to the Government, which were eagerly supported by a group of extremists and of discontented place-hunters, known as the Club. Hamilton was extremely jealous of Lord Melville, the Secretary of State in London, and of the Earl of Crawford, President of the Parliament,[1] both of whom he believed to have more power than himself — so jealous, indeed, that on one occasion when Crawford was empowered to tender the oath of allegiance to the new bench of judges, he craved permission to resign; and on August 2, finding that the opposition would vote no supplies till their grievances were redressed, and by no means sorry to disappoint the Presbyterians, he prorogued the Parliament. Several Acts relating to the Church were proposed, and some were passed; but the only one to which the Commissioner gave the royal assent, was the statute of July 22, which in accordance with the Claim of Right abolished prelacy and declared that the King and Queen "will settle by law that

[1] George Melville, fourth Lord Melville and (in April of this year) first Earl of Melville, had fled to Holland on account of the Rye House plot. He had served under Monmouth at Bothwell Bridge, and had sent a message to the rebels, exhorting them to lay down their arms. Crawford was the son of the Earl who had resigned the Treasurership in 1661 rather than renounce the Covenant. He was the leader of the moderate Presbyterians as opposed to the Club, and his letters show an amazing facility in the use of Old Testament language.

church government in this kingdom which is most agreeable to the inclinations of the people."[1]

On April 13, two days after the adoption of the Claim of Right, a proclamation had been issued, which all ministers on pain of deprivation were required to read from the pulpit, discharging obedience to James VII. and enjoining public prayers for the new King and Queen. Three clergymen had been deprived by the Convention for disregarding this order, and eighteen, in the interval between the Convention and the Parliament, by the Committee of Estates; but it was not till August 6, when the parishioners and hearers of such ministers as had not read the proclamation and had not prayed for William and Mary, were invited to delate them to the Privy Council, that any general attempt was made to punish the disaffection of the Church. No previous ordinance in Scotland, not even Middleton's famous edict of 1662, had caused such havoc as was the result of this which required the clergy to acquiesce in the success of the Revolution. The total number of deprivations, from April 26 to November 7, was 182;[2] and the east in some parts was purged almost as effectually by the Council as the rabble had purged the west. In the Presbytery of Cupar all the ministers were turned out, save one who resigned in the following year. Seventeen ministers were deprived in the Presbytery of St. Andrews, thirteen in that of Edinburgh, twelve in that of Auchterarder, and eleven in that of Jedburgh.

On July 27 Dundee was killed in the moment of his

[1] *Leven and Melville Papers*, pp. 59, 78, 79; Hamilton's Instructions in *Somers Tracts*, xi. 480-482.

[2] See the full list compiled from the Council Records in the pamphlet of 1694, entitled *The Scots Episcopal Innocence.* About twenty ministers were acquitted. Few were cited from the north.

brilliant triumph over General Mackay at Killiecrankie; and when Parliament re-assembled, after the prorogation had been several times renewed, on April 25, 1690, the Jacobite rising in the Highlands had broken out afresh, and William was preparing for the Irish campaign, which was to culminate in the battle of the Boyne. At such a crisis the Crown and the Estates were, neither of them, much disposed to prosecute their feud; and most happily for the Government, Sir James Montgomery, the leader of the Club, violent Presbyterian as he was, had conceived the wild idea of a union between his party and that of the exiled King. Several of the Jacobite members declined to enter into this league, knowing that they could not resume their seats without taking the oaths; and the malcontent Whigs were so suspicious of their new allies that when, owing to these abstentions, the coalition was defeated on the first vote by a majority of six, it immediately collapsed. The Club indeed continued to act with the Jacobites, but both in numbers and in reputation it speedily declined. It was probably no secret to the House that William had authorised his Commissioner, the Earl of Melville, to concede the demand which had been so violently pressed in the previous year; and on May 8 an Act was passed, which abolished the Lords of the Articles and provided that Parliament at its discretion might appoint special committees, on which the officers of state should have power to propose and debate, but not to vote.[1]

In the former session "the Presbyterian ministers and professors" had presented an address, in which they besought Parliament to revive the ecclesiastical settle-

[1] Balcarres, pp. 55-59; *Leven and Melville Papers*, p. 414; *Act. Parl.* ix. 113.

ment of 1592, to ratify the Westminster Confession, the Larger and Shorter Catechism, and the Directory of Worship, to abolish patronage, and to establish the government of the Church, with full power to plant and purge, in the hands of "known sound Presbyterians," particularly the survivors of those who had been expelled for nonconformity at the Restoration. This address was now presented anew; and Melville, in accordance with his instructions, made it his first business to give the royal assent to two Acts passed at the instance of the petitioners, which Hamilton had refused to sanction. The first of these repealed the Act of 1669 asserting the royal supremacy; and the second provided that all Presbyterian ministers yet alive, who had been expelled since the first of January, 1661, should be restored to their churches, whether vacant or not. Soon afterwards the Earl of Sutherland brought in an Act, the most acceptable to the Presbyterians of several such schemes, for the settlement of the Church.[1] After three days' debate, during which some slight amendments were made, this measure, as adjusted in committee, was adopted by the House; and on June 7 the Commissioner gave the royal assent to the statute, which has determined the constitution of the Church of Scotland from that day to this. This Act ratified the Westminster Confession of Faith, without mentioning either the Catechisms or the Directory; declared the system of kirk-sessions, presbyteries, provincial synods, and general assemblies, as established by the Act of 1592, to be "the only government of

[1] So says the well-informed author of *An Account of the late establishment of Presbyterian Government by the Parliament of Scotland, anno* 1690. According to another authority, however, the bill adopted by the House was introduced by Stewart of Coltness.—*Coltness Collections*, p. 94.

Christ's Church within this kingdom,"; empowered the restored ministers, and those whom they should associate with them, to govern, and in particular, to purge the Church; and pronounced all parishes to be vacant from which the Episcopal incumbents had been rabbled or legally expelled. The allusion to patronage in the statute of 1592 was excluded from the ratification of that Act; and on July 19 patronage was abolished, and the right of presentation was transferred from the patrons to the heritors and kirk-session.[1]

"I hope you will not take it ill," said Lord Melville in opening this session of Parliament, "that I mind you of that useful precept of the Apostle, Let your moderation be known unto all men; for the unfriends of our nation have taken occasion to reproach us more for the vehemence of our temper than anything else."[2] The necessity of moderation, indeed, is so frequently inculcated in the letters, speeches, and pamphlets of Presbyterians at this period that it could not fail to be recognised in the settlement of the Church. To abolish prelacy as "con-

[1] *Act. Parl.* ix. 111, 133, 196. It is interesting to compare the statute of 1690 with the "Overture for settling Church-government in Scotland," which Carstares sent down to the Duke of Hamilton, and which the latter presented to Parliament on July 22 of the previous session. This Overture revived the Act of 1592; but it preserved the rights of patrons; it restored the ministers who had refused the Test in 1681, as well as the nonconformists of 1662, without, however, giving them any exclusive power; it discharged ministers to meddle with State affairs; and, in order to secure the observance of this clause, declared that the sovereigns, if they thought fit, might always have some one to represent them in provincial and presbyterial, as well as in general assemblies.—See the Overture in M'Cormick's *Carstares*, appendix, No. ii. The Club would not hear of such a scheme, and Crawford objected that "without the Church be once purged, the conform clergy will be six to one."—*Leven and Melville Papers*, p. 172. The editor of these *Papers* is thus mistaken when he says (p. xxxvi.) that Church affairs were not at all discussed during the session of 1689.

[2] *Act. Parl.* ix., appendix, p. 38.

trary to the inclinations of the generality of the people" was to condemn that institution, whether justly or unjustly, on far more practical and on far more liberal grounds than any which its opponents had yet alleged; and the statute, which Parliament at the request of the Presbyterians consented to revive, was one which had been drafted by a statesman so little favourable to theocracy as Maitland of Thirlestane, and with regard to which we have seen that Spottiswoode was guilty only of exaggeration when he said that it was passed "in the most wary terms that could be devised." The wisdom of the Revolution statesmen, however, is even more conspicuous in what they deliberately refrained from doing than in what they did. The General Assembly of 1647, in approving the Westminster Confession, had declared that the 31st chapter, in so far as it asserted the authority of the magistrate in the calling of synods or councils, was to be understood "only of kirks not settled or constituted in point of government," and that Churches fully organised might assemble "by the intrinsic power derived from Christ," with or without the magistrate's consent, as often as they pleased. It was twice moved in committee without success that the approval of the Confession should be qualified by this reservation. The insertion of such a clause would have been contrary to the Act of 1592, and still more to the motives which had caused it to be revived; for in reverting to their original charter the Presbyterians had tacitly renounced the Covenants—much to the chagrin, doubtless, of several Episcopal pamphleteers who had proved to their own satisfaction that Presbytery could be re-established on no other basis. The committee for Church affairs declined to receive a petition from the Cameronians, praying that

the Covenants might be vindicated and renewed ;[1] and in spite of the protests of Sir James Montgomery, who advocated the restoration of Presbytery as it had existed in 1648,[2] not only were the Covenants not renewed, but the Act of 1662, which condemned them as unlawful, as well as the Act Recissory of 1661, was allowed to remain in force.

A draft of the proposed legislation was despatched to Court; and the Act would have been a more statesmanlike measure, had it been amended in all respects as suggested by William, after he had consulted Carstares. Melville probably did his best to carry out the King's wishes; but in the case of three of the seven amendments, and these the most important, he entirely failed. Where the Presbyterian system recognised in 1592 was declared to be "the only government of Christ's Church within this kingdom," William would have had it called "the government of the Church in this kingdom established by law"; he wished it to be "plainly and particularly enacted" that the purging of the Church should be conducted by moderate men approved as such by the Privy Council; and he suggested a certain declaration or test, setting forth the willingness of the subscriber to submit to Presbyterian government and his assent to the Confession of Faith "as the standard of the Protestant religion in this kingdom," on the signing of which he desired it to be stated in the Act that all ministers qualified in point of efficiency, doctrine, and conduct should be received into communion. In another of his amendments he showed some anxiety to preserve the rights of patrons,

[1] *Faithful Contendings Displayed*, pp. 428, 437.

[2] Balcarres, p. 60.

which he had empowered Melville, if Parliament demanded that concession, to give up; and he concluded by intimating his pleasure that Episcopalians in Scotland, who took the oath of allegiance, should have the same indulgence as dissenters in England. Melville defended his use of the royal permission, reluctant as he knew it to be, to consent to the abolition of patronage, on the ground that it would have been suicidal to act otherwise at a time when William was absent in Ireland, when the Club was intriguing with the Jacobites for the restoration of King James, and when the French, in consequence of their victory at Beechy Head, had obtained the command of the sea; and he stated that, as an Act of toleration would have been strongly opposed, he had thought it best to content himself with the repeal of those penal laws which, though originally passed by the Episcopalians in their own interest, would now have operated against themselves.[1] William, however, appears to have been dissatisfied with the conduct of his Commissioner; for at the close of the year Melville was practically superseded in the Secretaryship, and in 1691 he was removed from that post to the comparatively insignificant one of Lord Privy Seal.

The liberal character of the ecclesiastical settlement was much impaired in practice by the methods employed to bring it into force. When the government of the Church was committed to the remnant of the

[1] See his vindication in the Preface to the *Leven and Melville Papers*, p. xxvi. The Acts of 1592 and 1690 establishing Presbytery, the Act of Assembly, 1647, William's proposed amendments, and extracts from the minutes of Parliament, may be studied in Innes's *Law of Creeds in Scotland*.

old Presbyterian clergy, the Episcopalians complained that, instead of fourteen bishops, there were now sixty; and as no terms were offered, civil or ecclesiastical, in compliance with which the clergy affected by the Act might have retained their cures, the restoration of these men to the livings they had held in 1662 was the greatest, and in view of the fact that several hundred parishes were then vacant, the most wanton injustice that either of the two parties had yet perpetrated at the expense of the other. Many of the restored ministers were already settled; and instances occurred in which an incumbent who had taken the oaths was displaced by a Presbyterian who preferred his present to his old charge, but who, for some time at least, drew the stipend of both. It would probably have been impossible to reinstate the rabbled clergy, at all events where they had been expelled by a genuine movement on the part of their flocks;[1] but they ought at least to have been paid the year and a half's stipend, which was their legal due. The proclamation of April 13, 1689, appointing public prayers for William and Mary, had promised protection only to those ministers who at the date of issue were in possession of their livings; at the end of the year another and ambiguous proclamation was issued, which was understood to mean that the courts were not to grant decreets of stipend to ministers expelled before that date, on the ground

[1] There is probably a good deal of truth in the following account of the rabblings in the west: "There was not a general insurrection of the parishes of that country, but a certain *Rabble* combined together and run up and down, thrusting out ministers, the parishes being no less surprised with it than the ministers themselves, and in many places the parishes would have defended the ministers, if either they had been forewarned, or sufficiently armed to make resistance."—*A Continuation of the Historical Relation of the late General Assembly in Scotland*, London, 1691, p. 30.

that their case was still under the consideration of Parliament; and finally, as we have seen, the Act establishing Presbytery declared all churches vacant from which Episcopal ministers, legally or illegally, had been removed. The Duke of Hamilton spoke long and eloquently in support of a petition from the victims of the rabble, in which they represented that they were reduced to great necessity, and that some of them, with large families, were on the point of starving; and when their deprivation had been voted, he went out of the House, declaring that "he was sorry he should ever have sat in a Scottish Parliament, where such naked iniquity was established into a law."[1]

These proceedings were unnecessarily harsh; but something of the kind was almost inevitable at a time when an ecclesiastical system distasteful to the mass of the clergy was to be introduced without the aid of those forces which on two previous occasions had enabled such a change to be made. The settlement of 1690 was as much the creation of the civil power as that of 1662; but in 1662, as in 1638, conformity had been enforced, and it is only in a merely nominal sense that Presbytery on the latter occasion can be said to have been the choice of the Church. We have seen what excellent reasons the King's Commissioner had had for saying that the Glasgow Assembly could not be called free "by any man who had not given a bill of divorce both to his understanding and conscience"—how the members had all been nominated by the Presbyterian junto, how the ministers in every presbytery had been outvoted by lay elders, how the latter, who had not sat in such judicatories for nearly forty years, had been admitted for

[1] *Account of the late establishment of Presbyterian Government*, pp. 1, 24, 25, 53, 63.

the very purpose of influencing the elections, and some of them only the day before. The statesmen of 1690 intended to re-establish Presbytery on a basis of toleration; and as the enmity or indifference of the aristocracy deprived them of the social pressure which had been exerted so powerfully in support of that system in 1638, it is not surprising that they should have snatched at every pretext for getting rid of a hostile clergy, whose predominance they could not swamp, and whose opinions they did not mean to proscribe.

It has been mentioned that one of the King's amendments on the Act establishing Presbytery which Parliament rejected was that the persons appointed to purge the Church should be approved by the Privy Council; and the fears which had inspired this proposal were speedily realised. The zeal of the restored ministers had been tempered, for the most part, by suffering and age; but at a general meeting, authorised by the statute for the exercise of their purging office, they admitted so great a company of youthful zealots that Episcopalians, who had scoffed at "the sixty bishops," now blamed them, as some of them blamed themselves, for relinquishing in such haste their monopoly of power. Many Episcopal clergymen were summarily deposed by the presbyteries as reconstituted by this general meeting; and it may have been owing to these excesses that Lord Carmichael was selected as the royal Commissioner to the Assembly, which in terms of the statute was to meet in October, and not the Earl of Crawford, whom the Presbyterians had recommended in all but name to Lord Melville, and of whose appointment they had made so sure that no presbytery had elected him as its representative elder. Lord Carmichael had been a member of the parliamentary committee for settling the Church.

The Episcopalians admitted his courtesy and good sense; and as president of the commission for purging the University of Glasgow, he had given proof of both qualities by treating the Regents with great respect, and by dismissing with indignation the charges, in which their personal character was assailed.[1]

The General Assembly, which met at Edinburgh on October 16, consisted of 180 ministers and elders, the Moderator being Hugh Kennedy, a Protester of the most noxious type, who had been deposed by the Synod of Lothian in 1660 "for guilt in those things which concern his Majesty in defence of the kingdom."[2] The election of a man with such antecedents was a victory for the extremists, particularly as the three candidates nominated with him were all moderate men. Lord Carmichael presented an admirable letter from the King. "A calm and peaceable procedure," wrote William, "will be no less pleasing to us than it becometh you. We never could be of the mind that violence was suited to the advancing of true religion, nor do we intend that our authority shall ever be a tool to the irregular passions of any party. Moderation is what religion enjoins; neighbouring churches expect from you, and we recommend to you." The Assembly made a very suitable reply, in which they assured the King "as in the presence of God and in expectation of his dreadful appearance that we shall study that moderation which your Majesty recommends"; and it must be regarded as a very large contribution towards the fulfilment of this pledge that no attempt was made to renew the Covenants, in the statutory condemnation of which Parlia-

[1] *Historical Relation of the General Assembly* of 1690, p. 4; *Leven and Melville Papers*, p. 535; *Presbyterian Inquisition*, p. 13.

[2] Scot's *Fasti*, i. 175.

ment had just acquiesced. On October 28 an Act was passed recommending the presbyteries to take notice of all ministers who did not observe fasts and thanksgivings appointed by the Church; and on November 12, "having taken into their most serious consideration the late and general defection of this church and kingdom," the Assembly instituted a fast, which, in the enumeration of its causes, was well calculated to bring the Episcopal clergy within the scope of this Act. Purging commissions, with a view to the removal of ministers "insufficient, supinely negligent, scandalous or erroneous," were appointed for both sides of the Tay; and all ministers under process who appealed to the Assembly were remitted to their respective presbyteries, except four who were deposed. On the other hand, the purging commissions were enjoined to "be very cautious of receiving informations against the late conformists"; and the Moderator declared that the Assembly "would depose no incumbents simply for their judgment anent the government of the Church." [1]

Lining, Alexander Shields, and Boyd, the three men whom the Cameronians acknowledged as their pastors, were received into communion by the Assembly, after they had made an offer of submission, and "for the exoneration of their consciences" had presented a long paper, in which, to use their own expression, they testified against the corruptions and shortcomings of the present, as compared with the former, temple. The "committee of overtures" remitted this paper to the Assembly with a recommendation, which was adopted,

[1] That is, if they were willing to conform, as is shown by the extraordinary conclusion of the sentence, "nor urge re-ordination upon them." See *Acts of the General Assembly*, edition 1791, i. 1-30; and the *Historical Relation.*

that it should not be read.[1] The majority of the Cameronians, out of whose ranks in the previous year had been drafted the gallant regiment which still bears their name, concurred with their pastors in submission to the Church; but a minority, including Sir Robert Hamilton, the insurgent leader at Bothwell Bridge, still held aloof; and thus was formed the nucleus of that ever-increasing secession, in whose efforts to revive a bygone fanaticism the Church of Scotland for a century and a half was to be haunted by the spectre of her own illiberal past.

The fast instituted by the Assembly was ratified by the Privy Council; and the clergy, who had acknowledged the new Government, were thus placed in a serious dilemma, having either to reflect on their own conduct as Episcopalians or to disobey the civil power. The ministers of East Lothian at a meeting at Haddington agreed upon a protest, in which, whilst observing the fast, they were to intimate their dissent from most of its alleged grounds; but observance under these conditions was thought likely to give more offence than neglect, and the fast was ignored by most of the ministers, and the protest apparently by all save one. Laurence Charteris, who had resigned his professorship at Edinburgh on account of the Test, was now minister of Dirleton, having been admitted to that charge shortly before the Revolution, in September, 1688. On the Sunday on which intimation of the fast was to be made, he read the Act of Assembly with its enumeration of causes, and then delivered an address, the spirit of which

[1] On this subject see the wearisome pamphlet of 1691.—*An Account of the Methods and Motives of the late Union and Submission to the Assembly, offered and subscribed by Mr. Thomas Lining, Mr. Alexander Shields, Mr. William Boyd.*

may be inferred from these excellent words: "All who are wise and who have a right sense of true religion and Christianity cannot but see there has been a great defection among us. The defection has not been from the truth, or from the fundamental articles of the Christian faith, but from the life of God and the power of religion, and from the temper and conversation which the Gospel requires of us."[1] Charteris was received into communion in 1692; and the expiring tradition, which identified Episcopacy with all that was most liberal in the ecclesiastical life of Scotland, was thus carried by the last and one of the noblest of its representatives into the bosom of the Presbyterian Church.

The two commissions appointed by the Assembly were quite equal to the presbyteries in the thoroughness of their purging work. As the Earl of Perth so late as 1685 had confessed to Archbishop Sancroft that the Church was undone for the want of "a better clergy," it is not improbable that a good many of the ministers may have merited deposition; but the evidence produced against them was frequently of the most frivolous kind. One minister, a man of eighty, was required to prove, and did so, that he had not once been intoxicated fifteen or sixteen years ago; another was assumed to have been drunk, because, in view of the convivial character of such ceremonies, he had officiated at two baptisms in one day; another was accused of whistling, another of having jested during a game of bowls, another of tolerating Quakers, of allowing children to play, and his parishioners to prepare dinner on Sunday; and nearly all the accused were said to have entered on their charges against

[1] The address will be found in the *Continuation of the Historical Relation*, and in Grub.

the inclination, not of the parish, but of that select minority who called themselves "the godly and serious persons." Two Peeblesshire ministers were deposed for "charming," one of whom throve so well under that imputation that he was made Governor of Heriot's Hospital; and a zealous countryman, when invited to accuse one of the ministers of Stirling, is said to have replied "that indeed he knew him not, but for the glory of God and the good of the Church, he was very ready and willing to do it."[1] In view of such proceedings the Episcopal clergy, who had taken the oaths, professed to believe that there was a conspiracy on foot to turn them all out of their cures; and their complaints were favourably received by the enlightened sovereign who now wielded the sceptre of the Stewarts—a sovereign who cared little whether his subjects were Episcopal or Presbyterian, whether they knelt or sat at communion, whether they improvised their prayers to Heaven, or read them out of a book, but who did care much that in his resistance to the French ascendency in Europe he should have the support of a prosperous, a loyal, and a united people.

Towards the end of 1690, just as he was preparing to embark for Holland, William was waited upon by two representatives of the Episcopal clergy, Canaries and Leask, the former being the minister of Selkirk, whose sermon against popery had led to the dismissal of Archbishop Cairncross. These envoys were invited to follow him abroad; and in February, 1691, he wrote from the Hague to the Commissioners of Assembly, directing them to receive all Episcopal ministers who were willing to conform, to depose no more incumbents till he should

[1] See the *Historical Relation* of the Assembly of 1690, the *Continuation* of that pamphlet, and Scot's *Fasti*, vol. i.

give them leave, and meanwhile to revise any sentences of deposition which might be complained of as unjust. In reply to this letter, the Commissioners sent over two of their number with an address, which William graciously acknowledged; and it cannot justly be laid to their charge that they rejected a petition from "the ministers of the Episcopal persuasion," which had been sent down from London, and in which these men craved permission to act as presbyters in their several precincts and parishes, on the ground that they were prepared, while differing from their brethren on points that were not fundamental, to do all that was incumbent on them "as ministers of the Gospel for advancing the power of religion, for repressing of scandal and vice, and for securing the peace and quiet of their Majesties' Government." The framers of this petition were so far from acknowledging the status of the Commissioners as representing the late General Assembly that they gave them no higher and no more correct title than that of "the ministers and others empowered by law to establish the judicatories of the Church of Scotland"; and as the Commissioners pointed out in their reply, they did not offer either to subscribe the Confession or to submit to the Presbyterian system, and the object of their request appeared to be the setting up of a government independent of that established by law.[1]

The second General Assembly was to have been held on the first of November, 1691; but having been adjourned by royal proclamation, it did not meet till January 15, 1692. In order to obviate the objections which had proved fatal to the late petition, William had directed the Episcopal ministers to make application to the Assembly in terms almost identical with those which

[1] *Continuation of the Historical Relation*, pp. 45-54.

he had suggested as one of his amendments on the Act of 1690. The subscriber of this formula promised to submit to the Presbyterian government of the Church as now established, heartily to concur therewith for the promotion of piety and the enforcement of discipline, and to subscribe the Westminster Confession and the Larger and Shorter Catechisms "as containing the doctrine of the Protestant religion professed in this kingdom." In a letter to the Assembly presented by the Earl of Lothian, after complaining that the project of comprehension had not made such progress as from the assurances of the Commission he had been led to expect, William said that it had been represented to him that they were not a full General Assembly, the ministers excluded without sufficient cause being as numerous as themselves, but that he had directed these ministers, without insisting on this point, to apply to the Assembly in terms of a formula which he had delivered to his Commissioner; and he concluded by expressing his confidence that they would not allow themselves "to be imposed upon by some hot violent spirits," whose object it was "to continue the whole Government of the Church in the hands of a part of the ministers," this being contrary both to Presbyterian principles and to the scheme of Church government established by law. All the Episcopal clergy who had renounced King James, including, with one or two exceptions, the whole Synod of Aberdeen, are said to have concurred in this second address, which, however, succeeded no better than the first. The delegates of the petitioners were kept in attendance for nearly a fortnight before they could gain admission to the House; and the Assembly showed so little disposition to grant their request that the Commissioner, without appointing another,

declared it to be dissolved. The Moderator, in virtue of the "spiritual intrinsic power from Jesus Christ, the only head of the Church," appointed another Assembly on the third Wednesday of August, 1693; but this was a mere compliment to the *manes* of the Covenant, and took no effect.[1]

When we consider the scope of the address to the Assembly and the motives of its promoters, we cannot greatly wonder that it failed. William's formula was an admirable Test; but the Episcopal ministers, about 180 in number, who proposed to avail themselves of it, were more numerous than the Presbyterians; and according to Burnet, who tells us that he warmly advocated the scheme, they boasted that the King was with them, and that in submitting to the ecclesiastical system of their opponents they would speedily re-establish their own.[2] The petition was addressed to "the General Assembly of the Presbyterians," thus insinuating that the court then sitting in Edinburgh did not represent the Church; and in the vindication of the address, published a dozen years later, it is expressly stated that the applicants declined to acknowledge the existing Church government as legitimate so long as they were excluded from it. William was very ill advised when in his letter to the Assembly he endorsed this contention as consistent with the statute of 1690, to which, indeed, it was entirely opposed; and it is not surprising that the Assembly should have retaliated on the petitioners by refusing to recognise the Synod

[1] See the pamphlet of 1704, *A Vindication of the Address made by the Episcopal Clergy to the General Assembly of the Presbyterians, Anno* 1692; and the Register of the Assembly as quoted by Burton.

[2] *Own Time*, iv. 133, 156.

of Aberdeen, and by offering to receive the delegates in their personal, but not in their representative, capacity.

The question, which had thus baffled the King and the Assembly, was settled in a somewhat arbitrary fashion by Parliament in the following year. On May 19, 1693, an Act was passed which required the oath of allegiance and a declaration known as the Assurance to be taken by all persons in public trust, and, in particular, by "all preachers and ministers of the Gospel whatsomever." The oath was no more than a vow to "be faithful and bear true allegiance"; but the subscriber of the Assurance acknowledged William and Mary to be "the only lawful undoubted sovereigns," as well *de jure* as *de facto*, and he engaged to defend their title against the adherents of the late King. On June 12 was passed the important statute entitled "an Act for settling the quiet and peace of the Church." This Act provided that no person should be admitted or continued as a minister of the Church who had not subscribed the oath of allegiance, the Assurance, and the Westminster Confession, declaring that he owned the last as the true doctrine and the confession of his faith, that he acknowledged the Presbyterian government as established by law to be the only government of the Church, that he should submit to this government and never attempt to subvert it, and that he should observe uniformity of worship as at present in use. The King and Queen were recommended to call an Assembly with a view to the reception of such ministers as should qualify for admission according to these terms. Ministers at present excluded, who did not address themselves to the Assembly

within thirty days of its meeting, were declared liable to deposition; but those who avowed their readiness to conform were to enjoy the royal protection till they were admitted into the Church. The highly Erastian character of this legislation was extremely offensive to the Presbyterians, though the terms offered to conformists by Parliament were far more rigorous than those which had been suggested by the King. William, on being informed that the members of the Assembly, which was to meet in March, 1694, had resolved not to take the oath and the Assurance, is said to have sent express orders requiring them to take both; and Carstares is said to have prevented this by taking the despatch from the messenger and inducing William to acquiesce in its recall.[1] At all events, the two forms were allowed to drop; and the Assembly showed its gratitude by appointing a committee to receive such of the Episcopal clergy as should apply for admission in terms of the statute. The number of applicants was probably not large; for more than a hundred ministers took immediate advantage of an Act of 1695, which authorised incumbents, who had taken the oath and the Assurance, but who had not applied for admission, to retain their cures, on condition that they took no part in the government of the Church. So late as 1710 there were 113 Episcopal ministers who still held livings in Scotland.[2]

The Act of 1695, which has just been mentioned, was the last of the series of statutes which laid the founda-

[1] M'Cormick's *Carstares*, pp. 58-61.

[2] *Act. Parl.* ix. 263, 303, 450; Carstares' *State Papers*, p. 263; Burnet, iv. 282. A list of Episcopal incumbents in 1710 is appended to *The Case of Mr. Greenshields*, a pamphlet of that year.

tion of the present Established Church; and the indulgence thus secured to Episcopal nonconformists was as fatal to the comprehension scheme of William as the indulgence of 1669 to Presbyterian nonconformists had been fatal to the similar scheme of Leighton. In truth, however, it would not be difficult to show that the Revolution Settlement was really a reconciliation in all essential points of the two opposing tendencies, the interaction of which has formed the principal subject of this work. Episcopacy in Scotland had never been more than a government super-imposed for political purposes on a Presbyterian Church; and the abolition of that government, to which the disaffection of the bishops forced William to consent, was rendered possible because Presbytery had now become so moderate in spirit that it might safely be emancipated from Episcopal control. The violence of the rabble, the harsh measures of the Revolution Parliament, the growth of sacerdotalism, and an honourable devotion to the cause of the late King prevented all but a fraction of the clergy from concurring in this change; and the Jacobite sympathies of its members helped to consolidate that offshoot of Anglican Catholicism, "the Church in Scotland," which claims to have preserved the Scottish Episcopal tradition, but which in reality has preserved that tradition only in so far as it was diverted, and one must needs add, impoverished and embittered by the influence of Laud.[1]

[1] This will hardly be disputed by any impartial person who is acquainted with the literature in which the Episcopalian sentiment in Scotland has found expression from the days of Bishop Sage to those of the Spottiswoode Society. Whoever compares this literature with the works issued and edited by the committee of the Free Church Assembly "for the publication of the works of Scottish Reformers and Divines" will have a good idea of the Scylla and Charybdis between which the Church of Scotland has had to steer her perilous course.

The naked principle of Prelacy was thus maintained; but Prelacy had now supplanted Presbytery as the standard of rebellion and dissent; and the virtues which the former system had fostered when it was a really national institution, now adhered to the latter. An English nonconformist, who visited Edinburgh in 1703, was astonished to find that not a single member of the General Assembly "was for the Divine right of the Presbyterian form of Church government"; and in these early years of the eighteenth century an expansive movement took place in the Church of Scotland, similar to that which had followed the downfall of theocratic Presbyterianism in 1597, but distinguished by a broader culture and by a far greater liberality of creed. Unhappily, in its enlightened attempt to reconcile the forms of Presbytery with what had hitherto been regarded as the prelatical spirit, the statesmanship of the Revolution was in itself to be the origin of a permanent schism; for not only did the mass of the clergy refuse to conform, but all subsequent secessions may be traced to the fact that, whilst professedly Presbyterian, the Church has fallen into line with that great moderate tradition—the tradition of light and reason, of "peace and concord, kindness and goodwill"—which Episcopacy of the true Scottish type, from Cowper and Patrick Forbes to Leighton and Charteris, had endeavoured to uphold.

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ERRATA

VOL. I.—Page 38, Line 13. For 1555 read 1553.

,, 245, Note I. For "Davidson" read "Davison."

,, 267, 5th last Line. Insert "of" before "the Cubiculars."

VOL. II.—Page 140, 13th last Line. For "Winnington on the Weaver" read "Warrington on the Mersey."

,, 145, Line 15. For "late" read "lay."

,, 244, 9th last Line. Delete "was."

,, 280, 3rd last Line. Insert "and" before "the supremacy."

,, 312, 2nd last Line. For "successors" read "successor."

,, 317, Line 7. For "Earl" read "the Marquis of."

,, 320, 3rd last Line. For "embraced Catholicism" read "had embraced Catholicism."

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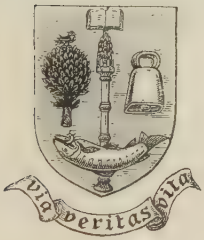

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